



General Assembly

## ***Amendment***

***February Session, 2014***

**LCO No. 3505**

**\*HB0511503505HD0\***

Offered by:

REP. REED, 102<sup>nd</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.

REP. HOYDICK, 120<sup>th</sup> Dist.

SEN. CHAPIN, 30<sup>th</sup> Dist.

To: Subst. House Bill No. **5115**

File No. 365

Cal. No. 233

***"AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO  
AND REPEAL OF OBSOLETE PROVISIONS OF ENERGY AND  
TECHNOLOGY STATUTES."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 16-1 of the 2014 supplement to  
4 the general statutes is repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a  
7 and 245b shall be construed as follows, unless another meaning is  
8 expressed or is clearly apparent from the language or context:

9 (1) "Authority" means the Public Utilities Regulatory Authority and  
10 "department" means the Department of Energy and Environmental  
11 Protection;

12 (2) "Utility commissioner" means a member of the Public Utilities  
13 Regulatory Authority;

14 [(3) "Commissioner of Transportation" means the Commissioner of  
15 Transportation appointed under section 13b-3;]

16 [(4)] (3) "Public service company" includes [electric,] electric  
17 distribution, gas, telephone, [telegraph,] pipeline, sewage, water and  
18 community antenna television companies and holders of a certificate  
19 of cable franchise authority, owning, leasing, maintaining, operating,  
20 managing or controlling plants or parts of plants or equipment, [and  
21 all express companies having special privileges on railroads within this  
22 state,] but shall not include [telegraph company functions concerning  
23 intrastate money order service,] towns, cities, boroughs, any municipal  
24 corporation or department thereof, whether separately incorporated or  
25 not, a private power producer, as defined in section 16-243b, or an  
26 exempt wholesale generator, as defined in 15 USC 79z-5a;

27 [(5)] (4) "Plant" includes all real estate, buildings, tracks, pipes,  
28 mains, poles, wires and other fixed or stationary construction and  
29 equipment, wherever located, used in the conduct of the business of  
30 the company;

31 [(6) "Railroad company" includes every person owning, leasing,  
32 maintaining, operating, managing or controlling any railroad, or any  
33 cars or other equipment employed thereon or in connection therewith,  
34 for public or general use within this state;

35 (7) "Street railway company" includes every person owning, leasing,  
36 maintaining, operating, managing or controlling any street railway, or  
37 any cars or other equipment employed thereon or in connection  
38 therewith, for public or general use within this state;

39 (8) "Electric company" includes, until an electric company has been  
40 unbundled in accordance with the provisions of section 16-244e, every  
41 person owning, leasing, maintaining, operating, managing or  
42 controlling poles, wires, conduits or other fixtures, along public

43 highways or streets, for the transmission or distribution of electric  
44 current for sale for light, heat or power within this state, or engaged in  
45 generating electricity to be so transmitted or distributed for such  
46 purpose, but shall not include (A) a private power producer, as  
47 defined in section 16-243b, (B) an exempt wholesale generator, as  
48 defined in 15 USC 79z-5a, (C) a municipal electric utility established  
49 under chapter 101, (D) a municipal electric energy cooperative  
50 established under chapter 101a, (E) an electric cooperative established  
51 under chapter 597, (F) any other electric utility owned, leased,  
52 maintained, operated, managed or controlled by any unit of local  
53 government under any general statute or any public or special act, (G)  
54 an entity approved to submeter pursuant to section 16-19ff, or (H) a  
55 municipality, state or federal governmental entity authorized to  
56 distribute electricity across a public highway or street pursuant to  
57 section 16-243aa;]

58 [(9)] (5) "Gas company" includes every person owning, leasing,  
59 maintaining, operating, managing or controlling mains, pipes or other  
60 fixtures, in public highways or streets, for the transmission or  
61 distribution of gas for sale for heat or power within this state, or  
62 engaged in the manufacture of gas to be so transmitted or distributed  
63 for such purpose, but shall not include (A) a person manufacturing gas  
64 through the use of a biomass gasification plant provided such person  
65 does not own, lease, maintain, operate, manage or control mains, pipes  
66 or other fixtures in public highways or streets, (B) a municipal gas  
67 utility established under chapter 101 or any other gas utility owned,  
68 leased, maintained, operated, managed or controlled by any unit of  
69 local government under any general statute or any public or special  
70 act, or (C) an entity approved to submeter pursuant to section 16-19ff,  
71 as amended by this act;

72 [(10)] (6) "Water company" includes every person owning, leasing,  
73 maintaining, operating, managing or controlling any pond, lake,  
74 reservoir, stream, well or distributing plant or system employed for  
75 the purpose of supplying water to fifty or more consumers. A water

76 company does not include homeowners, condominium associations  
77 providing water only to their members, homeowners associations  
78 providing water to customers at least eighty per cent of whom are  
79 members of such associations, a municipal waterworks system  
80 established under chapter 102, a district, metropolitan district,  
81 municipal district or special services district established under chapter  
82 105, chapter 105a or any other general statute or any public or special  
83 act which is authorized to supply water, or any other waterworks  
84 system owned, leased, maintained, operated, managed or controlled  
85 by any unit of local government under any general statute or any  
86 public or special act;

87 [(11)] (7) "Consumer" means any private dwelling, boardinghouse,  
88 apartment, store, office building, institution, mechanical or  
89 manufacturing establishment or other place of business or industry to  
90 which water is supplied by a water company;

91 [(12)] (8) "Sewage company" includes every person owning, leasing,  
92 maintaining, operating, managing or controlling, for general use in any  
93 town, city or borough, or portion thereof, in this state, sewage disposal  
94 facilities which discharge treated effluent into any waterway of this  
95 state;

96 [(13)] (9) "Pipeline company" includes every person owning, leasing,  
97 maintaining, operating, managing or controlling mains, pipes or other  
98 fixtures through, over, across or under any public land, water,  
99 parkways, highways, parks or public grounds for the transportation,  
100 transmission or distribution of petroleum products for hire within this  
101 state;

102 [(14)] (10) "Community antenna television company" includes every  
103 person owning, leasing, maintaining, operating, managing or  
104 controlling a community antenna television system, in, under or over  
105 any public street or highway, for the purpose of providing community  
106 antenna television service for hire and shall include any municipality  
107 which owns or operates one or more plants for the manufacture or

108 distribution of electricity pursuant to section 7-213 or any special act  
109 and seeks to obtain or obtains a certificate of public convenience and  
110 necessity to construct or operate a community antenna television  
111 system pursuant to section 16-331 or a certificate of cable franchise  
112 authority pursuant to section 16-331q. "Community antenna television  
113 company" does not include a certified competitive video service  
114 provider;

115 [(15)] (11) "Community antenna television service" means (A) the  
116 one-way transmission to subscribers of video programming or  
117 information that a community antenna television company makes  
118 available to all subscribers generally, and subscriber interaction, if any,  
119 which is required for the selection of such video programming or  
120 information, and (B) noncable communications service. "Community  
121 antenna television service" does not include video service provided by  
122 a certified competitive video service provider;

123 [(16)] (12) "Community antenna television system" means a facility,  
124 consisting of a set of closed transmission paths and associated signal  
125 generation, reception and control equipment that is designed to  
126 provide community antenna television service which includes video  
127 programming and which is provided in, under or over any public  
128 street or highway, for hire, to multiple subscribers within a franchise,  
129 but such term does not include (A) a facility that serves only to  
130 retransmit the television signals of one or more television broadcast  
131 stations; (B) a facility that serves only subscribers in one or more  
132 multiple unit dwellings under common ownership, control or  
133 management, unless such facility is located in, under or over a public  
134 street or highway; (C) a facility of a common carrier which is subject, in  
135 whole or in part, to the provisions of Subchapter II of Chapter 5 of the  
136 Communications Act of 1934, 47 USC 201 et seq., as amended, except  
137 that such facility shall be considered a community antenna television  
138 system and the carrier shall be considered a public service company to  
139 the extent such facility is used in the transmission of video  
140 programming directly to subscribers; or (D) a facility of an electric

141 distribution company which is used solely for operating its electric  
142 distribution company systems. "Community antenna television  
143 system" does not include a facility used by a certified competitive  
144 video service provider to provide video service;

145 [(17)] (13) "Video programming" means programming provided by,  
146 or generally considered comparable to programming provided by, a  
147 television broadcast station;

148 [(18)] (14) "Noncable communications service" means any  
149 telecommunications service, as defined in section 16-247a, and which is  
150 not included in the definition of "cable service" in the Communications  
151 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall  
152 be construed to affect service which is both authorized and preempted  
153 pursuant to federal law;

154 [(19)] "Public service motor vehicle" includes all motor vehicles used  
155 for the transportation of passengers for hire;

156 (20) "Motor bus" includes any public service motor vehicle operated  
157 in whole or in part upon any street or highway, by indiscriminately  
158 receiving or discharging passengers, or operated on a regular route or  
159 over any portion thereof, or operated between fixed termini, and any  
160 public service motor vehicle operated over highways within this state  
161 between points outside this state or between points within this state  
162 and points outside this state;]

163 [(21)] (15) "Cogeneration technology" means the use for the  
164 generation of electricity of exhaust steam, waste steam, heat or  
165 resultant energy from an industrial, commercial or manufacturing  
166 plant or process, or the use of exhaust steam, waste steam or heat from  
167 a thermal power plant for an industrial, commercial or manufacturing  
168 plant or process, but shall not include steam or heat developed solely  
169 for electrical power generation;

170 [(22)] (16) "Renewable fuel resources" means energy sources  
171 described in subdivisions [(26)] (20) and [(27)] (21) of this subsection;

172     [(23)] (17) "Telephone company" means a telecommunications  
173     company that provides one or more noncompetitive or emerging  
174     competitive services, as defined in section 16-247a;

175     [(24)] (18) "Domestic telephone company" includes any telephone  
176     company which has been chartered by or organized or constituted  
177     within or under the laws of this state;

178     [(25)] (19) "Telecommunications company" means a person that  
179     provides telecommunications service, as defined in section 16-247a,  
180     within the state, but shall not mean a person that provides only (A)  
181     private telecommunications service, as defined in section 16-247a, (B)  
182     the one-way transmission of video programming or other  
183     programming services to subscribers, (C) subscriber interaction, if any,  
184     which is required for the selection of such video programming or other  
185     programming services, (D) the two-way transmission of educational or  
186     instructional programming to a public or private elementary or  
187     secondary school, or a public or independent institution of higher  
188     education, as required by the authority pursuant to a community  
189     antenna television company franchise agreement, or provided  
190     pursuant to a contract with such a school or institution which contract  
191     has been filed with the authority, or (E) a combination of the services  
192     set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

193     [(26)] (20) "Class I renewable energy source" means (A) electricity  
194     derived from (i) solar power, (ii) wind power, (iii) a fuel cell, (iv)  
195     geothermal, (v) landfill methane gas, anaerobic digestion or other  
196     biogas derived from biological sources, (vi) thermal electric direct  
197     energy conversion from a certified Class I renewable energy source,  
198     (vii) ocean thermal power, (viii) wave or tidal power, (ix) low emission  
199     advanced renewable energy conversion technologies, (x) a run-of-the-  
200     river hydropower facility that began operation after July 1, 2003, and  
201     has a generating capacity of not more than thirty megawatts, provided  
202     a facility that applies for certification under this clause after January 1,  
203     2013, shall not be based on a new dam or a dam identified by the  
204     commissioner as a candidate for removal, and shall meet applicable

205 state and federal requirements, including applicable site-specific  
206 standards for water quality and fish passage, or (xi) a biomass facility  
207 that uses sustainable biomass fuel and has an average emission rate of  
208 equal to or less than .075 pounds of nitrogen oxides per million BTU of  
209 heat input for the previous calendar quarter, except that energy  
210 derived from a biomass facility with a capacity of less than five  
211 hundred kilowatts that began construction before July 1, 2003, may be  
212 considered a Class I renewable energy source, or (B) any electrical  
213 generation, including distributed generation, generated from a Class I  
214 renewable energy source, provided, on and after January 1, 2014, any  
215 megawatt hours of electricity from a renewable energy source  
216 described under this subparagraph that are claimed or counted by a  
217 load-serving entity, province or state toward compliance with  
218 renewable portfolio standards or renewable energy policy goals in  
219 another province or state, other than the state of Connecticut, shall not  
220 be eligible for compliance with the renewable portfolio standards  
221 established pursuant to section 16-245a, as amended by this act;

222 [(27)] (21) "Class II renewable energy source" means energy derived  
223 from a trash-to-energy facility, a biomass facility that began operation  
224 before July 1, 1998, provided the average emission rate for such facility  
225 is equal to or less than .2 pounds of nitrogen oxides per million BTU of  
226 heat input for the previous calendar quarter, or a run-of-the-river  
227 hydropower facility provided such facility has a generating capacity of  
228 not more than five megawatts, does not cause an appreciable change in  
229 the riverflow, and began operation prior to July 1, 2003;

230 [(28)] (22) "Electric distribution services" means the owning, leasing,  
231 maintaining, operating, managing or controlling of poles, wires,  
232 conduits or other fixtures along public highways or streets for the  
233 distribution of electricity, or electric distribution-related services;

234 [(29)] (23) "Electric distribution company" or "distribution company"  
235 means any person providing electric transmission or distribution  
236 services within the state, [including an electric company, subject to  
237 subparagraph (F) of this subdivision,] but does not include: (A) A



238 private power producer, as defined in section 16-243b; (B) a municipal  
239 electric utility established under chapter 101, other than a participating  
240 municipal electric utility; (C) a municipal electric energy cooperative  
241 established under chapter 101a; (D) an electric cooperative established  
242 under chapter 597; (E) any other electric utility owned, leased,  
243 maintained, operated, managed or controlled by any unit of local  
244 government under any general statute or special act; (F) [after an  
245 electric company has been unbundled in accordance with the  
246 provisions of section 16-244e, a generation entity or affiliate of the  
247 former electric company; or (G)] an electric supplier; (G) an entity  
248 approved to submeter pursuant to section 16-19ff, as amended by this  
249 act; or (H) a municipality, state or federal governmental entity  
250 authorized to distribute electricity across a public highway or street  
251 pursuant to section 16-243aa, as amended by this act;

252 [(30)] (24) "Electric supplier" means any person, including an electric  
253 aggregator or participating municipal electric utility that is licensed by  
254 the Public Utilities Regulatory Authority in accordance with section  
255 16-245, that provides electric generation services to end use customers  
256 in the state using the transmission or distribution facilities of an  
257 electric distribution company, regardless of whether or not such  
258 person takes title to such generation services, but does not include: (A)  
259 A municipal electric utility established under chapter 101, other than a  
260 participating municipal electric utility; (B) a municipal electric energy  
261 cooperative established under chapter 101a; (C) an electric cooperative  
262 established under chapter 597; or (D) any other electric utility owned,  
263 leased, maintained, operated, managed or controlled by any unit of  
264 local government under any general statute or special act;

265 [(31)] (25) "Electric aggregator" means (A) a person, municipality or  
266 regional water authority that gathers together electric customers for  
267 the purpose of negotiating the purchase of electric generation services  
268 from an electric supplier, or (B) the Connecticut Resources Recovery  
269 Authority, if it gathers together electric customers for the purpose of  
270 negotiating the purchase of electric generation services from an electric

271 supplier, provided such person, municipality or authority is not  
272 engaged in the purchase or resale of electric generation services, and  
273 provided further such customers contract for electric generation  
274 services directly with an electric supplier, and may include an electric  
275 cooperative established pursuant to chapter 597;

276 [(32)] (26) "Electric generation services" means electric energy,  
277 electric capacity or generation-related services;

278 [(33)] (27) "Electric transmission services" means electric  
279 transmission or transmission-related services;

280 [(34)] (28) "Generation entity or affiliate" means a corporate affiliate  
281 or [, as provided in subdivision (3) of subsection (a) of section 16-244e,]  
282 a separate division of an electric distribution company [after  
283 unbundling has occurred pursuant to section 16-244e,] that provides  
284 electric generation services;

285 [(35)] (29) "Participating municipal electric utility" means a  
286 municipal electric utility established under chapter 101 or any other  
287 electric utility owned, leased, maintained, operated, managed or  
288 controlled by any unit of local government under any general statute  
289 or any public or special act, that is authorized by the authority in  
290 accordance with section 16-245c to provide electric generation services  
291 to end use customers outside its service area, as defined in section  
292 16-245c;

293 [(36)] (30) "Person" means an individual, business, firm, corporation,  
294 association, joint stock association, trust, partnership or limited  
295 liability company;

296 [(37)] (31) "Regional independent system operator" means the "ISO -  
297 New England, Inc.", or its successor organization as approved by the  
298 Federal Energy Regulatory Commission;

299 [(38)] (32) "Certified telecommunications provider" means a person  
300 certified by the authority to provide intrastate telecommunications

301 services, as defined in section 16-247a, pursuant to sections 16-247f to  
302 16-247h, inclusive;

303 [(39)] (33) "Gas registrant" means a person registered to sell natural  
304 gas pursuant to section 16-258a;

305 [(40)] (34) "Customer-side distributed resources" means (A) the  
306 generation of electricity from a unit with a rating of not more than  
307 sixty-five megawatts on the premises of a retail end user within the  
308 transmission and distribution system including, but not limited to, fuel  
309 cells, photovoltaic systems or small wind turbines, or (B) a reduction in  
310 the demand for electricity on the premises of a retail end user in the  
311 distribution system through methods of conservation and load  
312 management, including, but not limited to, peak reduction systems  
313 and demand response systems;

314 [(41)] (35) "Federally mandated congestion charges" means any cost  
315 approved by the Federal Energy Regulatory Commission as part of  
316 New England Standard Market Design including, but not limited to,  
317 locational marginal pricing, locational installed capacity payments, any  
318 cost approved by the Public Utilities Regulatory Authority to reduce  
319 federally mandated congestion charges in accordance with section 7-  
320 233y, this section, sections 16-32f, 16-50i, as amended by this act, 16-  
321 50k, 16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this  
322 act, [16-244e,] 16-245m, as amended by this act, 16-245n, as amended  
323 by this act, and 16-245z, and section 21 of public act 05-1 of the June  
324 special session and reliability must run contracts;

325 [(42)] (36) "Combined heat and power system" means a system that  
326 produces, from a single source, both electric power and thermal energy  
327 used in any process that results in an aggregate reduction in electricity  
328 use;

329 [(43)] (37) "Grid-side distributed resources" means the generation of  
330 electricity from a unit with a rating of not more than sixty-five  
331 megawatts that is connected to the transmission or distribution system,

332 which units may include, but are not limited to, units used primarily to  
333 generate electricity to meet peak demand;

334 [(44)] (38) "Class III source" means the electricity output from  
335 combined heat and power systems with an operating efficiency level of  
336 no less than fifty per cent that are part of customer-side distributed  
337 resources developed at commercial and industrial facilities in this state  
338 on or after January 1, 2006, a waste heat recovery system installed on  
339 or after April 1, 2007, that produces electrical or thermal energy by  
340 capturing preexisting waste heat or pressure from industrial or  
341 commercial processes, or the electricity savings created in this state  
342 from conservation and load management programs begun on or after  
343 January 1, 2006, provided on and after January 1, 2014, no such  
344 programs supported by ratepayers, including programs overseen by  
345 the Energy Conservation Management Board or third-party programs  
346 pursuant to section 16-245m, as amended by this act, shall be  
347 considered a Class III source, except that any demand-side  
348 management project awarded a contract pursuant to section 16-243m,  
349 as amended by this act, shall remain eligible as a Class III source for  
350 the term of such contract;

351 [(45)] (39) "Sustainable biomass fuel" means biomass that is  
352 cultivated and harvested in a sustainable manner. "Sustainable  
353 biomass fuel" does not mean construction and demolition waste, as  
354 defined in section 22a-208x, finished biomass products from sawmills,  
355 paper mills or stud mills, organic refuse fuel derived separately from  
356 municipal solid waste, or biomass from old growth timber stands,  
357 except where (A) such biomass is used in a biomass gasification plant  
358 that received funding prior to May 1, 2006, from the Clean Energy  
359 Fund established pursuant to section 16-245n, as amended by this act,  
360 or (B) the energy derived from such biomass is subject to a long-term  
361 power purchase contract pursuant to subdivision (2) of subsection (j)  
362 of section 16-244c entered into prior to May 1, 2006;

363 [(46)] (40) "Video service" means video programming services  
364 provided through wireline facilities, a portion of which are located in

365 the public right-of-way, without regard to delivery technology,  
366 including Internet protocol technology. "Video service" does not  
367 include any video programming provided by a commercial mobile  
368 service provider, as defined in 47 USC 332(d), any video programming  
369 provided as part of community antenna television service in a  
370 franchise area as of October 1, 2007, any video programming provided  
371 as part of and via a service that enables users to access content,  
372 information, electronic mail or other services over the public Internet;

373 [(47)] (41) "Certified competitive video service provider" means an  
374 entity providing video service pursuant to a certificate of video  
375 franchise authority issued by the authority in accordance with section  
376 16-331e. "Certified competitive video service provider" does not mean  
377 an entity issued a certificate of public convenience and necessity in  
378 accordance with section 16-331 or the affiliates, successors and assigns  
379 of such entity or an entity issued a certificate of cable franchise  
380 authority in accordance with section 16-331p or the affiliates,  
381 successors and assignees of such entity;

382 [(48)] (42) "Certificate of video franchise authority" means an  
383 authorization issued by the Public Utilities Regulatory Authority  
384 conferring the right to an entity or person to own, lease, maintain,  
385 operate, manage or control facilities in, under or over any public  
386 highway to offer video service to any subscribers in the state;

387 [(49)] (43) "Certificate of cable franchise authority" means an  
388 authorization issued by the Public Utilities Regulatory Authority  
389 pursuant to section 16-331q conferring the right to a community  
390 antenna television company to own, lease, maintain, operate, manage  
391 or control a community antenna television system in, under or over  
392 any public highway to (A) offer community antenna television service  
393 in a community antenna television company's designated franchise  
394 area, or (B) use the public rights-of-way to offer video service in a  
395 designated franchise area. The certificate of cable franchise authority  
396 shall be issued as an alternative to a certificate of public convenience  
397 and necessity pursuant to section 16-331 and shall only be available to

398 a community antenna television company under the terms specified in  
399 sections 16-331q to 16-331aa, inclusive;

400 [(50)] (44) "Thermal energy transportation company" means any  
401 person authorized under any provision of the general statutes or  
402 special act to furnish heat or air conditioning or both, by means of  
403 steam, heated or chilled water or other medium, to lay and maintain  
404 mains, pipes or other conduits, and to erect such other fixtures  
405 necessary or convenient in and on the streets, highways and public  
406 grounds of any municipality to carry steam, heated or chilled water or  
407 other medium from such plant to the location to be served and to  
408 return the same;

409 [(51)] (45) "The Connecticut Television Network" means the General  
410 Assembly's state-wide twenty-four-hour state public affairs  
411 programming service, separate and distinct from community access  
412 channels;

413 [(52)] (46) "Commissioner of Energy and Environmental Protection"  
414 means the Commissioner of Energy and Environmental Protection  
415 appointed pursuant to title 4, or the commissioner's designee; and

416 [(53)] (47) "Large-scale hydropower" means any hydropower facility  
417 that (A) began operation on or after January 1, 2003, (B) is located in  
418 the New England Power Pool Generation Information System  
419 geographic eligibility area in accordance with Rule 2.3 of said system  
420 or an area abutting the northern boundary of the New England Power  
421 Pool Generation Information System geographic eligibility area that is  
422 not interconnected with any other control area that is not a part of the  
423 New England Power Pool Generation Information System geographic  
424 eligibility area, (C) delivers power into such geographic eligibility area,  
425 and (D) has a generating capacity of more than thirty megawatts.

426 Sec. 2. (NEW) (*Effective from passage*) Terms used in chapter 244,  
427 sections 16-216 to 16-227, inclusive, of the general statutes and chapters  
428 244a, 244b, 245, 245a and 245b of the general statutes shall be

429 construed as follows, unless another meaning is expressed or is clearly  
430 apparent from the language or context:

431 (1) "Railroad company" includes every person owning, leasing,  
432 maintaining, operating, managing or controlling any railroad, or any  
433 cars or other equipment employed thereon or in connection therewith,  
434 for public or general use within this state;

435 (2) "Street railway company" includes every person owning, leasing,  
436 maintaining, operating, managing or controlling any street railway, or  
437 any cars or other equipment employed thereon or in connection  
438 therewith, for public or general use within this state;

439 (3) "Public service motor vehicle" includes all motor vehicles used  
440 for the transportation of passengers for hire; and

441 (4) "Motor bus" includes any public service motor vehicle operated  
442 in whole or in part upon any street or highway, by indiscriminately  
443 receiving or discharging passengers, or operated on a regular route or  
444 over any portion thereof, or operated between fixed termini, and any  
445 public service motor vehicle operated over highways within this state  
446 between points outside this state or between points within this state  
447 and points outside this state.

448 Sec. 3. Subsection (a) of section 16-10a of the general statutes is  
449 repealed and the following is substituted in lieu thereof (*Effective from*  
450 *passage*):

451 (a) Whenever any person, firm or corporation, incorporated under  
452 the general statutes or any special act, is granted a franchise to operate  
453 as a public service company, as defined in section 16-1, as amended by  
454 this act, and fails to provide service which is adequate to serve the  
455 public convenience and necessity of any town, city, borough, district or  
456 other political subdivision of the state, or any portion thereof, for a  
457 period of five years from the date of such franchise or from January 1,  
458 1961, whichever is later, the Public Utilities Regulatory Authority, on  
459 its own initiative, or upon complaint of any such town, city, borough,

460 district or other political subdivision, or on petition of not less than  
461 five per cent of the affected persons, but in no event more than one  
462 thousand persons, in any such town, city, borough, district or other  
463 political subdivision, shall fix a time and place for a hearing to be held  
464 thereon. The authority shall give notice thereof to all parties in interest  
465 and shall make such further investigation into the alleged failure to  
466 provide such service as it deems necessary. If upon such hearing, said  
467 authority finds that the holder of such franchise has failed to provide  
468 such service and that there is an immediate need for such service, it  
469 may revoke such franchise as to any such town, city, borough, district  
470 or political subdivision, or any portion thereof, or make such other  
471 order as may be necessary to provide such service. Whenever any  
472 person, firm or corporation, incorporated under the general statutes or  
473 any special act, is granted a franchise to operate as a railroad company,  
474 as defined in [section 16-1] section 2 of this act, and fails to provide  
475 adequate service, or has discontinued the service, on any segment of its  
476 lines for which such franchise is granted for a period of five years or  
477 more, the franchise for such segment of line shall cease to exist and  
478 shall be revoked by the authority for such failure to operate such  
479 service or discontinuance of service for a period of five years or more.

480 Sec. 4. Section 16-252 of the general statutes is repealed and the  
481 following is substituted in lieu thereof (*Effective from passage*):

482 All such bonds may be secured by a mortgage of the property, real,  
483 personal or mixed, of the mortgagor, executed by its president, under  
484 its corporate seal, to the Treasurer of the state, and his successors in  
485 office, in trust, for the holders of such bonds, and recorded in the office  
486 of the Secretary of the State, and such mortgage shall secure equally all  
487 such bonds as may be issued from time to time to the full amount  
488 specified in the mortgage, and may include not only the property then  
489 owned by the mortgagor but also property to be thereafter acquired by  
490 it. In such mortgage deed, it shall be sufficient to describe the lines,  
491 wires, poles, conduits, equipment and apparatus of the telephone  
492 company, in general terms and by general reference to locality. The



493 provisions of sections 16-218 to 16-227, inclusive, concerning the  
494 foreclosure of mortgages of railroad companies, as defined in section 2  
495 of this act, shall apply to any mortgages or bonds issued by telephone  
496 companies, associations or corporations.

497 Sec. 5. Section 16-265 of the general statutes is repealed and the  
498 following is substituted in lieu thereof (*Effective from passage*):

499 No lands or rights-of-way or easements therein shall be taken by  
500 eminent domain under the provisions of sections 16-263 to 16-269,  
501 inclusive, in any public street or highway, public park or reservation or  
502 other public property, or within the location of any railroad company,  
503 as defined in section 2 of this act, or other public utility company;  
504 provided such pipeline or pipelines may be constructed under or  
505 through any public highway or street, public park or reservation or  
506 other public property if the method of such construction and the plans  
507 and specifications therefor have been approved by the authority  
508 having jurisdiction over the maintenance of such public highway or  
509 street, public park or reservation or other public property; and  
510 provided such pipeline or pipelines may be constructed over or across  
511 the location of any railroad company, as defined in section 2 of this act,  
512 or other public utility company by agreement with such railroad  
513 company or other public utility company or, in the event of failure so  
514 to agree, then with the approval of and in such manner as may be  
515 determined by the Public Utilities Regulatory Authority.

516 Sec. 6. Section 52-557o of the general statutes is repealed and the  
517 following is substituted in lieu thereof (*Effective from passage*):

518 No action for trespass shall lie against any surveyor licensed under  
519 chapter 391 or person acting at the direction of any such licensed  
520 surveyor who enters upon land other than the land being surveyed  
521 without causing any damage to such other land in order to perform a  
522 survey, provided no such surveyor or person acting at the direction of  
523 such surveyor shall enter upon any land owned by a railroad  
524 company, as defined in section [16-1] 2 of this act, which is within fifty

525 feet of a railroad track without first obtaining written permission from  
526 the railroad company, which written permission shall not be  
527 unreasonably withheld. Nothing herein shall relieve such licensed  
528 surveyor or person from liability for actual damages caused by such  
529 entry upon such other property.

530 Sec. 7. Section 16-19dd of the general statutes is repealed and the  
531 following is substituted in lieu thereof (*Effective from passage*):

532 [(a) The Public Utilities Regulatory Authority shall not approve any  
533 electric public service company's application, under section 16-19, for a  
534 change in the electric rate of any agricultural customer from a  
535 residential rate schedule to a commercial rate schedule nor shall the  
536 authority on its own initiative, under section 16-19a, authorize such  
537 change for three years from May 2, 1988. Each electric public service  
538 company, in the case of any such customer which it has transferred  
539 from a residential rate to a commercial rate since 1980 or which it  
540 transferred in violation of any authority order, shall provide such  
541 customer with the option to reconvert to the customer's former rate  
542 classification.]

543 [(b)] All electric public service companies shall implement  
544 conservation and load management programs for agricultural  
545 customers.

546 Sec. 8. Subsection (h) of section 16-50j of the 2014 supplement to the  
547 general statutes is repealed and the following is substituted in lieu  
548 thereof (*Effective from passage*):

549 (h) Prior to commencing any hearing pursuant to section 16-50m,  
550 the council shall consult with and solicit written comments from (1) the  
551 Department of Energy and Environmental Protection, the Department  
552 of Public Health, the Council on Environmental Quality, the  
553 Department of Agriculture, the Public Utilities Regulatory Authority,  
554 the Office of Policy and Management, the Department of Economic  
555 and Community Development and the Department of Transportation,

556 and (2) in a hearing pursuant to section 16-50m, for a facility described  
557 in subdivision (3) of subsection (a) of section 16-50i, the Department of  
558 Emergency Services and Public Protection, the Department of  
559 Consumer Protection, the Department of Administrative Services and  
560 the Labor Department. [In addition, the Department of Energy and  
561 Environmental Protection shall have the continuing responsibility to  
562 investigate and report to the council on all applications which prior to  
563 October 1, 1973, were within the jurisdiction of the Department of  
564 Environmental Protection with respect to the granting of a permit.]  
565 Copies of such comments shall be made available to all parties prior to  
566 the commencement of the hearing. Subsequent to the commencement  
567 of the hearing, said departments and council may file additional  
568 written comments with the council within such period of time as the  
569 council designates. All such written comments shall be made part of  
570 the record provided by section 16-50o. Said departments and council  
571 shall not enter any contract or agreement with any party to the  
572 proceedings or hearings described in this section or section 16-50p that  
573 requires said departments or council to withhold or retract comments,  
574 refrain from participating in or withdraw from said proceedings or  
575 hearings.

576 Sec. 9. Section 16-243n of the general statutes is repealed and the  
577 following is substituted in lieu thereof (*Effective from passage*):

578 (a) Not later than October 1, 2005, each electric distribution  
579 company, as defined in section 16-1, as amended by this act, shall  
580 submit an application to the Public Utilities Regulatory Authority to  
581 (1) on or before January 1, 2007, implement time-of-use rates for  
582 customers that have a maximum demand of not less than three  
583 hundred fifty kilowatts that may include, but not be limited to,  
584 mandatory peak, shoulder and off-peak time-of-use rates, and (2) on or  
585 before June 1, 2006, offer optional interruptible or load response rates  
586 for customers that have a maximum demand of not less than three  
587 hundred fifty kilowatts and offer optional seasonal and time-of-use  
588 rates for all customers. The application shall propose to establish time-

589 of-use rates through a procurement plan, revenue neutral adjustments  
590 to delivery rates, or both.

591 [(b) From March 1, 2006, until December 31, 2006, each electric  
592 distribution company shall issue comparative analyses to customers  
593 that have a maximum demand of not less than three hundred fifty  
594 kilowatts that would demonstrate, at current levels of consumption,  
595 the effects of the mandatory time-of-use rates as specified in  
596 subdivision (l) of subsection (a) of this section to be effective beginning  
597 January 1, 2007.]

598 [(c)] (b) Not later than November 1, 2005, each electric distribution  
599 company shall submit an application to the Public Utilities Regulatory  
600 Authority to implement mandatory seasonal rates for all customers  
601 beginning April 1, 2007.

602 [(d) From April 1, 2006, until March 31, 2007, each electric  
603 distribution company shall issue comparative analyses to all customers  
604 that demonstrate, at current levels of consumption, the effects of the  
605 mandatory seasonal rates that will be effective beginning April 1,  
606 2007.]

607 [(e)] (c) The authority shall hold a hearing that shall be conducted as  
608 a contested case, in accordance with the provisions of chapter 54, to  
609 approve, reject or modify applications submitted pursuant to  
610 subsection (a) or [(c)] (b) of this section. No application for time-of-use  
611 rates shall be approved unless (1) such rates reasonably reflect the cost  
612 of service during their respective time-of-use periods, and (2) the costs  
613 associated with implementation, the impact on customers and benefits  
614 to the utility system justify implementation of such rates, and (3) such  
615 rates alter patterns of customer consumption of electricity without  
616 undue adverse effect on the customer.

617 [(f)] (d) Each electric distribution company shall assist customers to  
618 help manage loads and reduce peak consumption through the  
619 comprehensive plan developed pursuant to section 16-245m, as

620 amended by this act.

621 [(g) The authority shall conduct a contested case, in accordance with  
622 chapter 54, to determine the standards under which, and process by  
623 which, a customer, having a maximum demand of three hundred fifty  
624 kilowatts or more, may obtain an exemption, until July 1, 2010, from  
625 mandatory time-of-use rates as specified in subdivision (1) of  
626 subsection (a) of this section. The authority shall issue a decision in the  
627 contested case no later than January 1, 2006.]

628 Sec. 10. Section 16-244b of the general statutes is repealed and the  
629 following is substituted in lieu thereof (*Effective from passage*):

630 All customers of electric distribution companies, as defined in  
631 section 16-1, as amended by this act, shall have the opportunity to  
632 purchase electric generation services from their choice of electric  
633 suppliers, as defined in section 16-1, as amended by this act, in a  
634 competitive generation market in accordance with the schedule  
635 provided in this section. [On and after January 1, 2000, up to thirty-five  
636 per cent of the peak load of each rate class of an electric company or  
637 electric distribution company, as the case may be, may choose an  
638 electric supplier to provide their electric generation services, provided  
639 such customers shall be located in distressed municipalities, as defined  
640 in section 32-9p. In the event that the number of customers exceeds  
641 thirty-five per cent of such load, preference shall be given to customers  
642 located in distressed municipalities with a population greater than one  
643 hundred thousand persons. Participation shall be determined on a  
644 first-come, first-served basis.] As of July 1, 2000, all customers shall  
645 have the opportunity to choose an electric supplier. On and after  
646 January 1, 2000, electric generation services shall be provided in  
647 accordance with section 16-244c, as amended by this act, to any  
648 customer who has not chosen an electric supplier or has declined,  
649 failed or been unable to enter into or maintain a contract for electric  
650 generation services with an electric supplier. The Public Utilities  
651 Regulatory Authority may adopt regulations, in accordance with  
652 chapter 54, to implement the phase-in schedule provided in this

653 section.

654 Sec. 11. Subsection (e) of section 16-244c of the 2014 supplement to  
655 the general statutes is repealed and the following is substituted in lieu  
656 thereof (*Effective from passage*):

657 (e) An electric distribution company is not required to be licensed  
658 pursuant to section 16-245 to provide [standard offer electric  
659 generation services in accordance with] standard service pursuant to  
660 subsection (a) of this section, supplier of last resort service pursuant to  
661 subsection (c) of this section or back-up electric generation service  
662 pursuant to subsection (d) of this section.

663 Sec. 12. Subsection (e) of section 16-244u of the 2014 supplement to  
664 the general statutes is repealed and the following is substituted in lieu  
665 thereof (*Effective from passage*):

666 (e) On or before October 1, 2013, the Public Utilities Regulatory  
667 Authority shall conduct a proceeding to develop the administrative  
668 processes and program specifications, including, but not limited to, a  
669 cap of ten million dollars per year apportioned to each electric  
670 distribution company based on consumer load for credits provided to  
671 beneficial accounts pursuant to subsection (c) of this section and  
672 payments made pursuant to subsection (d) of this section, provided  
673 the municipal, state and agricultural customer hosts, each in the  
674 aggregate, and the designated beneficial accounts of such customer  
675 hosts, shall receive not more than forty per cent of the dollar amount  
676 established pursuant to this subsection.

677 Sec. 13. Subsection (g) of section 16-245a of the 2014 supplement to  
678 the general statutes is repealed and the following is substituted in lieu  
679 thereof (*Effective from passage*):

680 (g) [(1)] Notwithstanding the provisions of this section and section  
681 16-244c, as amended by this act, for periods beginning on and after  
682 January 1, 2008, each electric distribution company may procure  
683 renewable energy certificates from Class I, Class II and Class III

684 renewable energy sources through long-term contracting mechanisms.  
685 The electric distribution companies may enter into long-term contracts  
686 for not more than fifteen years to procure such renewable energy  
687 certificates. The electric distribution companies shall use any  
688 renewable energy certificates obtained pursuant to this section to meet  
689 their standard service and supplier of last resort renewable portfolio  
690 standard requirements.

691 [(2) On or before July 1, 2007, the authority shall initiate a contested  
692 case proceeding to examine whether long-term contracts should be  
693 used to procure Class I, Class II and Class III certificates. In such  
694 examination, the authority shall determine (A) the impact of such  
695 contracts on price stability, fuel diversity and cost; (B) the method and  
696 timing of crediting of the procurement of renewable energy certificates  
697 against the renewable portfolio standard purchase obligations of  
698 electric suppliers and the electric distribution companies pursuant to  
699 subsection (a) of this section; (C) the terms and conditions, including  
700 reasonable performance assurance commitments, that may be imposed  
701 on entities seeking to supply renewable energy certificates; (D) the  
702 level of one-time compensation, not to exceed one mill per kilowatt  
703 hour of output and services associated with the renewable energy  
704 certificates purchased pursuant to this subsection, which may be  
705 payable to the electric distribution companies for administering the  
706 procurement provided for under this subsection and recovered as part  
707 of the generation services charge or through an appropriate  
708 nonbypassable rate component on customers' bills; (E) the manner in  
709 which costs for such program may be recovered from electric  
710 distribution company customers; and (F) any other issues the authority  
711 deems appropriate. Revenues from such compensation shall not be  
712 included in calculating the electric distribution companies' earnings to  
713 determine if rates are just and reasonable, for earnings sharing  
714 mechanisms or for purposes of sections 16-19, 16-19a and 16-19e.]

715 Sec. 14. Subdivision (1) of subsection (a) of section 16-245m of the  
716 2014 supplement to the general statutes is repealed and the following

717 is substituted in lieu thereof (*Effective from passage*):

718 (a) (1) On and after January 1, 2000, the Public Utilities Regulatory  
719 Authority shall assess or cause to be assessed a charge of three mills  
720 per kilowatt hour of electricity sold to each end use customer of an  
721 electric distribution company to be used to implement the program as  
722 provided in this section for conservation and load management  
723 programs. [but not for the amortization of costs incurred prior to July  
724 1, 1997, for such conservation and load management programs.]

725 Sec. 15. Subsection (b) of section 16-245n of the general statutes is  
726 repealed and the following is substituted in lieu thereof (*Effective from*  
727 *passage*):

728 (b) On and after July 1, 2004, the Public Utilities Regulatory  
729 Authority shall assess or cause to be assessed a charge of not less than  
730 one mill per kilowatt hour charged to each end use customer of electric  
731 services in this state which shall be deposited into the Clean Energy  
732 Fund established under subsection (c) of this section.  
733 [Notwithstanding the provisions of this section, receipts from such  
734 charges shall be disbursed to the resources of the General Fund during  
735 the period from July 1, 2003, to June 30, 2005, unless the authority  
736 shall, on or before October 30, 2003, issue a financing order for each  
737 affected distribution company in accordance with sections 16-245e to  
738 16-245k, inclusive, to sustain funding of renewable energy investment  
739 programs by substituting an equivalent amount, as determined by the  
740 authority in such financing order, of proceeds of rate reduction bonds  
741 for disbursement to the resources of the General Fund during the  
742 period from July 1, 2003, to June 30, 2005. The authority may authorize  
743 in such financing order the issuance of rate reduction bonds that  
744 substitute for disbursement to the General Fund for receipts of both  
745 charges under this subsection and subsection (a) of section 16-245m  
746 and also may in its discretion authorize the issuance of rate reduction  
747 bonds under this subsection and subsection (a) of section 16-245m that  
748 relate to more than one electric distribution company. The authority  
749 shall, in such financing order or other appropriate order, offset any



750 increase in the competitive transition assessment necessary to pay  
751 principal, premium, if any, interest and expenses of the issuance of  
752 such rate reduction bonds by making an equivalent reduction to the  
753 charges imposed under this subsection, provided any failure to offset  
754 all or any portion of such increase in the competitive transition  
755 assessment shall not affect the need to implement the full amount of  
756 such increase as required by this subsection and sections 16-245e to 16-  
757 245k, inclusive. Such financing order shall also provide if the rate  
758 reduction bonds are not issued, any unrecovered funds expended and  
759 committed by the electric distribution companies for renewable  
760 resource investment through deposits into the Clean Energy Fund,  
761 provided such expenditures were approved by the authority following  
762 August 20, 2003, and prior to the date of determination that the rate  
763 reduction bonds cannot be issued, shall be recovered by the companies  
764 from their respective competitive transition assessment or systems  
765 benefits charge, except that such expenditures shall not exceed one  
766 million dollars per month. All receipts from the remaining charges  
767 imposed under this subsection, after reduction of such charges to offset  
768 the increase in the competitive transition assessment as provided in  
769 this subsection, shall be disbursed to the Clean Energy Fund  
770 commencing as of July 1, 2003. Any increase in the competitive  
771 transition assessment or decrease in the renewable energy investment  
772 component of an electric distribution company's rates resulting from  
773 the issuance of or obligations under rate reduction bonds shall be  
774 included as rate adjustments on customer bills.]

775 Sec. 16. Subsection (b) of section 16-245ff of the 2014 supplement to  
776 the general statutes is repealed and the following is substituted in lieu  
777 thereof (*Effective from passage*):

778 (b) The Clean Energy Finance and Investment Authority shall offer  
779 direct financial incentives, in the form of performance-based incentives  
780 or expected performance-based buydowns, for the purchase or lease of  
781 qualifying residential solar photovoltaic systems. For the purposes of  
782 this section, "performance-based incentives" means incentives paid out

783 on a per kilowatt-hour basis, and "expected performance-based  
784 buydowns" means incentives paid out as a one-time upfront incentive  
785 based on expected system performance. The authority shall consider  
786 willingness to pay studies and verified solar photovoltaic system  
787 characteristics, such as operational efficiency, size, location, shading  
788 and orientation, when determining the type and amount of incentive.  
789 Notwithstanding the provisions of subdivision (1) of subsection (h) of  
790 section 16-244c, the amount of renewable energy produced from Class  
791 I renewable energy sources receiving tariff payments or included in  
792 utility rates under this section shall be applied to reduce the electric  
793 distribution company's Class I renewable energy source portfolio  
794 standard. Customers who receive expected performance-based  
795 buydowns under this section shall not be eligible for a credit pursuant  
796 to section [16-243b] 16-243h.

797 Sec. 17. Subsection (c) of section 16-262y of the 2014 supplement to  
798 the general statutes is repealed and the following is substituted in lieu  
799 thereof (*Effective from passage*):

800 (c) (1) On or after June 5, 2013, and before a water company [,] with  
801 actual revenues at least one per cent less than allowed revenues files  
802 for its next general rate case pursuant to section 16-19, as amended by  
803 this act, such company may request, and the Public Utilities  
804 Regulatory Authority shall initiate, a docket for a limited reopener to  
805 approve a revenue adjustment mechanism.

806 (2) After approval of a revenue adjustment mechanism pursuant to  
807 subdivision (1) of this subsection, such mechanism shall be authorized  
808 by the authority annually thereafter until the earlier of (A) the sixth  
809 year after the last general rate case, or (B) such time as such company  
810 files its next general rate case. Such company shall file with the  
811 authority an annual reconciliation of actual revenues to allowed  
812 revenues that shall include a report of the changes in water demands  
813 and any measures such company has taken to promote water  
814 conservation.

815 Sec. 18. Subsection (a) of section 16a-3 of the 2014 supplement to the  
816 general statutes is repealed and the following is substituted in lieu  
817 thereof (*Effective from passage*):

818 (a) There is established a Connecticut Energy Advisory Board  
819 consisting of nine members, including the [Office of] Consumer  
820 Counsel. The president pro tempore of the Senate shall appoint a  
821 representative of an environmental organization knowledgeable in  
822 energy efficiency programs, a representative of a consumer advocacy  
823 organization and a representative of a state-wide business association.  
824 The speaker of the House of Representatives shall appoint a  
825 representative of low-income ratepayers, a representative of academia  
826 who has knowledge of energy-related issues and a member of the  
827 public considered to be an expert in electricity, generation, renewable  
828 energy, procurement or conservation programs. The minority leader of  
829 the Senate shall appoint a representative of a municipality. The  
830 minority leader of the House of Representatives shall appoint a  
831 member of the public considered to be an expert in electricity,  
832 generation, renewable energy, procurement or conservation. All  
833 appointed members shall serve in accordance with section 4-1a. No  
834 appointee may be employed by, or a consultant of, a public service  
835 company, as defined in section 16-1, as amended by this act, or an  
836 electric supplier, as defined in section 16-1, as amended by this act, or  
837 an affiliate or subsidiary of such company or supplier.

838 Sec. 19. Section 16a-3e of the 2014 supplement to the general statutes  
839 is repealed and the following is substituted in lieu thereof (*Effective*  
840 *from passage*):

841 The Integrated Resources Plan to be adopted in 2012 and [annually]  
842 biennially thereafter, shall (1) indicate specific options to reduce  
843 electric rates and costs. Such options may include the procurement of  
844 new sources of generation. In the review of new sources of generation,  
845 the Integrated Resources Plan shall indicate whether the private  
846 wholesale market can supply such additional sources or whether state  
847 financial assistance, long-term purchasing of electricity contracts or

848 other interventions are needed to achieve the goal; (2) analyze in-state  
849 renewable sources of electricity in comparison to transmission line  
850 upgrades or new projects and out-of-state renewable energy sources,  
851 provided such analysis also considers the benefits of additional jobs  
852 and other economic impacts and how they are created and subsidized;  
853 (3) include an examination of average consumption and other states'  
854 best practices to determine why electricity rates are lower elsewhere in  
855 the region; (4) assess and compare the cost of transmission line  
856 projects, new power sources, renewable sources of electricity,  
857 conservation and distributed generation projects to ensure the state  
858 pursues only the least-cost alternative projects; (5) continually monitor  
859 supply and distribution systems to identify potential need for  
860 transmission line projects early enough to identify alternatives; and (6)  
861 assess the least-cost alternative to address reliability concerns,  
862 including, but not limited to, lowering electricity demand through  
863 conservation and distributed generation projects before an electric  
864 distribution company submits a proposal for transmission lines or  
865 transmission line upgrades to the independent system operator or the  
866 Federal Energy Regulatory Commission, provided no provision of  
867 such plan shall be deemed to prohibit an electric distribution company  
868 from making any filing required by law or regulation.

869 Sec. 20. Subsection (c) of section 16a-40m of the 2014 supplement to  
870 the general statutes is repealed and the following is substituted in lieu  
871 thereof (*Effective from passage*):

872 (c) The guidelines for the comprehensive residential clean energy  
873 on-bill repayment program pursuant to subdivisions (9) to (11),  
874 inclusive, of subsection (b) of this section shall be subject to review and  
875 [approve] approval by the Public Utilities Regulatory Authority, which  
876 review shall commence upon filing such guidelines with the authority  
877 and the review shall be deemed complete not later than ninety days  
878 after such filing. Such review shall be conducted in an uncontested  
879 proceeding.

880 Sec. 21. Subdivision (57) of section 12-81 of the 2014 supplement to

881 the general statutes is repealed and the following is substituted in lieu  
882 thereof (*Effective from passage*):

883 (57) (A) Any Class I renewable energy source, as defined in section  
884 16-1, as amended by this act, or hydropower facility described in  
885 subdivision [(27)] (21) of subsection (a) of section 16-1, as amended by  
886 this act, installed for the generation of electricity for private residential  
887 use or on a farm, as defined in subsection (q) of section 1-1, provided  
888 such installation occurs on or after October 1, 2007, and further  
889 provided such installation is for a single family dwelling, a  
890 multifamily dwelling consisting of two to four units or a farm, or any  
891 passive or active solar water or space heating system or geothermal  
892 energy resource;

893 (B) For assessment years commencing on and after October 1, 2013,  
894 any Class I renewable energy source, as defined in section 16-1, as  
895 amended by this act, hydropower facility described in subdivision  
896 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
897 solar thermal or geothermal renewable energy source, installed for  
898 generation or displacement of energy, provided (i) such installation  
899 occurs on or after January 1, 2010, (ii) such installation is for  
900 commercial or industrial purposes, (iii) the nameplate capacity of such  
901 source or facility does not exceed the load for the location where such  
902 generation or displacement is located, and (iv) such source or facility is  
903 located in a distressed municipality, as defined in section 32-9p, with a  
904 population between one hundred twenty-five thousand and one  
905 hundred thirty-five thousand;

906 (C) For assessment years commencing on and after October 1, 2013,  
907 any municipality may, upon approval by its legislative body or in any  
908 town in which the legislative body is a town meeting, by the board of  
909 selectmen, abate up to one hundred per cent of property tax for any  
910 Class I renewable energy source, as defined in section 16-1, as  
911 amended by this act, hydropower facility described in subdivision  
912 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
913 solar thermal or geothermal renewable energy source, installed for

914 generation or displacement of energy, provided (i) such installation  
915 occurs between January 1, 2010, and December 31, 2013, (ii) such  
916 installation is for commercial or industrial purposes, (iii) the nameplate  
917 capacity of such source or facility does not exceed the load for the  
918 location where such generation or displacement is located, and (iv)  
919 such source or facility is not located in a municipality described in  
920 subparagraph (B) of this subdivision;

921 (D) For assessment years commencing on and after October 1, 2014,  
922 any Class I renewable energy source, as defined in section 16-1, as  
923 amended by this act, hydropower facility described in subdivision  
924 [(27)] (21) of subsection (a) of section 16-1, as amended by this act, or  
925 solar thermal or geothermal renewable energy source, installed for  
926 generation or displacement of energy, provided (i) such installation  
927 occurs on or after January 1, 2014, (ii) is for commercial or industrial  
928 purposes, and (iii) the nameplate capacity of such source or facility  
929 does not exceed the load for the location where such generation or  
930 displacement is located;

931 (E) Any person claiming the exemption provided in this subdivision  
932 for any assessment year shall, on or before the first day of November  
933 in such assessment year, file with the assessor or board of assessors in  
934 the town in which such hydropower facility, Class I renewable energy  
935 source, solar thermal or geothermal renewable energy source or  
936 passive or active solar water or space heating system or geothermal  
937 energy resource is located, a written application claiming such  
938 exemption. Failure to file such application in the manner and form as  
939 provided by such assessor or board within the time limit prescribed  
940 shall constitute a waiver of the right to such exemption for such  
941 assessment year. Such application shall not be required for any  
942 assessment year following that for which the initial application is filed,  
943 provided if such hydropower facility, Class I renewable energy source,  
944 solar thermal or geothermal renewable energy source or passive or  
945 active solar water or space heating system or geothermal energy  
946 resource is altered in a manner which would require a building permit,

947 such alteration shall be deemed a waiver of the right to such  
948 exemption until a new application, applicable with respect to such  
949 altered source, is filed and the right to such exemption is established as  
950 required initially;

951 Sec. 22. Subsection (e) of section 12-268s of the 2014 supplement to  
952 the general statutes is repealed and the following is substituted in lieu  
953 thereof (*Effective from passage*):

954 (e) The tax imposed by this section shall not apply to any net  
955 kilowatt hours of electricity generated at (1) an electric generation  
956 facility in this state exclusively through the use of fuel cells or an  
957 alternative energy system, (2) a resources recovery facility, as defined  
958 in section 22a-260, or (3) customer-side distributed resources, as  
959 defined in [subdivision (40) of] subsection (a) of section 16-1, as  
960 amended by this act.

961 Sec. 23. Section 13a-126c of the general statutes is repealed and the  
962 following is substituted in lieu thereof (*Effective from passage*):

963 Notwithstanding any provision of the general statutes, the  
964 Commissioner of Transportation may enter into an agreement with the  
965 owner or operator of a public service facility, as defined in section 13a-  
966 126, desiring the longitudinal use of the right-of-way of a state  
967 highway to accommodate trunkline or transmission-type utility  
968 facilities and to fix the terms, conditions and rates and charges for use  
969 of such right-of-way; provided, no such agreement shall exempt a  
970 public service facility from the provisions of chapter 277a. In the case  
971 of public service companies, as defined in [subdivision (1) of  
972 subsection (a) of] section 16-1, as amended by this act, such charges or  
973 rates shall not exceed the actual administrative, construction, operation  
974 and maintenance costs of the department incurred as a result of the  
975 public service company's use of a nonlimited access state highway. The  
976 department may estimate such charges or rates and require  
977 prepayment of such charges or rates, provided any amount in excess of  
978 the actual amount shall be refunded to the public service company.

979 Sec. 24. Subsection (a) of section 16a-51 of the 2014 supplement to  
980 the general statutes is repealed and the following is substituted in lieu  
981 thereof (*Effective from passage*):

982 (a) As used in this section, (1) "qualifying project" means a  
983 combined heat and power system, as described in subdivision [(44)]  
984 (38) of subsection (a) of section 16-1, as amended by this act, that (A)  
985 provides commercial, industrial or residential facilities with both  
986 electrical generation and heat output, (B) has a nameplate capacity of  
987 between five hundred and five thousand kilowatts, (C) is placed into  
988 service between January 1, 2012, and January 1, 2015, and (D) is not  
989 eligible under section 16-245hh or section 103 of public act 11-80, and  
990 (2) "electric distribution company" has the same meaning as provided  
991 in section 16-1, as amended by this act.

992 Sec. 25. Section 8-133a of the general statutes is repealed and the  
993 following is substituted in lieu thereof (*Effective from passage*):

994 As used in this section, "public service facility" includes any sewer,  
995 pipe, main, conduit, cable, wire, pole, tower, building or utility  
996 appliance owned or operated by an electric distribution, gas,  
997 telephone, [telegraph,] water or community antenna television service  
998 company. Whenever a redevelopment agency determines that the  
999 closing of any street or public right-of-way is provided for in a  
1000 redevelopment or renewal plan adopted and approved in accordance  
1001 with section 8-127, or where the carrying out of such a redevelopment  
1002 or renewal plan, including the construction of new improvements,  
1003 requires the temporary or permanent readjustment, relocation or  
1004 removal of a public service facility from a street or public right-of-way,  
1005 the agency shall issue an appropriate order to the company owning or  
1006 operating such facility, and such company shall permanently or  
1007 temporarily readjust, relocate or remove the same promptly in  
1008 accordance with such order, provided an equitable share of the cost of  
1009 such readjustment, relocation or removal of said public service facility  
1010 located within the redevelopment area, including the cost of installing  
1011 and constructing a facility of equal capacity in a new location, shall be



borne by the redevelopment agency. Such equitable share shall be fifty per cent of such cost after the deductions hereinafter provided. In establishing the equitable share of the cost to be borne by the redevelopment agency, there shall be deducted from the cost of the readjusted, relocated or removed facilities a sum based on a consideration of the value of materials salvaged from existing installations, the cost of the original installation, the life expectancy of the original facility and the unexpired term of such life use. For the purposes of determining the equitable share of the cost of such readjustment, relocation or removal, the books and records of the company shall be available for the inspection of the redevelopment agency. When any facility is removed from a street or public right-of-way to a private right-of-way, the redevelopment agency shall not pay for such private right-of-way. If the redevelopment agency and the company owning or operating such facility cannot agree upon the share of the cost to be borne by the redevelopment agency, either may apply to the superior court for the county within which the street or public right-of-way is situated, or, if the court is not in session, to any judge thereof, for a determination of the cost to be borne by the redevelopment agency, and such court or such judge, after causing notice of the pendency of such application to be given to the other party, shall appoint a state referee to make such determination. Such referee, having given at least ten days' notice, to the parties interested, of the time and place of the hearing, shall hear both parties, shall take such testimony as such referee may deem material and shall thereupon determine the amount of the cost to be borne by the redevelopment agency and forthwith report to the court. If the report is accepted by the court, such determination shall, subject to right of appeal as in civil actions, be conclusive upon such parties.

Sec. 26. Section 8-194 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this section, "public service facility" includes any sewer, pipe, main, conduit, cable, wire, pole, tower, building or utility

1045 appliance owned or operated by an electric distribution, gas, telephone  
1046 [, telegraph] or water company. Whenever a development agency  
1047 determines that the closing of any street or public right-of-way is  
1048 provided for in a development plan adopted and approved in  
1049 accordance with this chapter, or where the carrying out of such a  
1050 development plan, including the construction of new improvements,  
1051 requires the temporary or permanent readjustment, relocation or  
1052 removal of a public service facility from a street or public right-of-way,  
1053 the agency shall issue an appropriate order to the company owning or  
1054 operating such facility, and such company shall permanently or  
1055 temporarily readjust, relocate or remove the same promptly in  
1056 accordance with such order, provided an equitable share of the cost of  
1057 such readjustment, relocation or removal, including the cost of  
1058 installing and constructing a facility of equal capacity in a new  
1059 location, shall be borne by the development agency. Such equitable  
1060 share shall be fifty per cent of such cost after the deduction hereinafter  
1061 provided. In establishing the equitable share of the cost to be borne by  
1062 the development agency, there shall be deducted from the cost of the  
1063 readjusted, relocated or removed facilities a sum based on a  
1064 consideration of the value of materials salvaged from existing  
1065 installations, the cost of the original installation, the life expectancy of  
1066 the original facility and the unexpired term of such life use. For the  
1067 purposes of determining the equitable share of the cost of such  
1068 readjustment, relocation or removal, the books and records of the  
1069 company shall be available for the inspection of the development  
1070 agency. When any facility is removed from a street or public right-of-  
1071 way to a private right-of-way, the development agency shall not pay  
1072 for such private right-of-way. If the development agency and the  
1073 company owning or operating such facility cannot agree upon the  
1074 share of the cost to be borne by the development agency, either may  
1075 apply to the superior court for the judicial district within which the  
1076 street or public right-of-way is situated, or, if the court is not in session,  
1077 to any judge thereof, for a determination of the cost to be borne by the  
1078 development agency, and such court or such judge, after causing  
1079 notice of the pendency of such application to be given to the other

1080 party, shall appoint a state referee to make such determination. Such  
1081 referee, having given at least ten days' notice, to the parties interested,  
1082 of the time and place of the hearing, shall hear both parties, shall take  
1083 such testimony as such referee may deem material and shall thereupon  
1084 determine the amount of the cost to be borne by the development  
1085 agency and forthwith report to the court. If the report is accepted by  
1086 the court, such determination shall, subject to right of appeal as in civil  
1087 actions, be conclusive upon such parties.

1088 Sec. 27. Subsection (a) of section 8-395 of the general statutes is  
1089 repealed and the following is substituted in lieu thereof (*Effective from*  
1090 *passage*):

1091 (a) As used in this section, (1) "business firm" means any business  
1092 entity authorized to do business in the state and subject to the  
1093 corporation business tax imposed under chapter 208, or any company  
1094 subject to a tax imposed under chapter 207, or any air carrier subject to  
1095 the air carriers tax imposed under chapter 209, or any railroad  
1096 company subject to the railroad companies tax imposed under chapter  
1097 210, or any regulated telecommunications service, express, [telegraph,]  
1098 cable [,] or community antenna television company subject to the  
1099 regulated telecommunications service, express, [telegraph,] cable [,]  
1100 and community antenna television companies tax imposed under  
1101 chapter 211, or any utility company subject to the utility companies tax  
1102 imposed under chapter 212, and (2) "nonprofit corporation" means a  
1103 nonprofit corporation incorporated pursuant to chapter 602 or any  
1104 predecessor statutes thereto, having as one of its purposes the  
1105 construction, rehabilitation, ownership or operation of housing and  
1106 having articles of incorporation approved by the executive director of  
1107 the Connecticut Housing Finance Authority in accordance with  
1108 regulations adopted pursuant to section 8-79a or 8-84.

1109 Sec. 28. Section 12-80 of the general statutes is repealed and the  
1110 following is substituted in lieu thereof (*Effective from passage*):

1111 Real and tangible personal property owned by any company,

1112 including a foreign municipal electric utility as defined in section 12-  
1113 59, employed in the manufacture, transmission or distribution of gas  
1114 or electricity or both to be used for light, heat or motive power or in  
1115 the operation of a system of water works for selling or distributing  
1116 water or both for domestic or power purposes or for two or more of  
1117 such purposes shall be set in the list of each town where such property  
1118 is situated on its assessment day and shall be liable to taxation at such  
1119 percentage of its fair market value as is determined by the assessors  
1120 under the provisions of sections 12-64 and 12-71. The provisions of this  
1121 section shall not affect the provisions of section 12-76. Property subject  
1122 to taxation under the provisions of this section shall not be subject to  
1123 taxation under the provisions of sections 12-77, 12-78 and 12-79.  
1124 Railroad companies subject to taxation under the provisions of chapter  
1125 210, and express, [telegraph,] telephone and cable companies subject to  
1126 taxation under the provisions of chapter 211, shall not be subject to the  
1127 provisions of this section.

1128 Sec. 29. Section 13a-127 of the general statutes is repealed and the  
1129 following is substituted in lieu thereof (*Effective from passage*):

1130 The commissioner is authorized to contract with any person,  
1131 partnership, association or corporation, desiring the use of the project  
1132 authorized by section 13a-32, the Gold Star Memorial Bridge or the  
1133 Old Lyme and Old Saybrook Bridge, or the appurtenances and  
1134 approaches or any part of such project or bridges, for placing thereon  
1135 water, steam, gas or oil pipelines, telephone, [telegraph,] electric light  
1136 or power lines, or for any other purpose, and to fix the terms,  
1137 conditions and rates and charges for such use.

1138 Sec. 30. Section 16-32 of the general statutes is repealed and the  
1139 following is substituted in lieu thereof (*Effective from passage*):

1140 Each public service company [, except telegraph companies and  
1141 express companies subject to the jurisdiction of the Interstate  
1142 Commerce Commission or its successor agency,] shall have an annual  
1143 comprehensive audit and report made of its accounts and operations

1144 by independent public accountants satisfactory to the Public Utilities  
1145 Regulatory Authority. A copy of such annual audit report shall be filed  
1146 with the authority, together with the company's annual report. In the  
1147 absence of such an audit report, or if the authority, after notice and  
1148 opportunity for a hearing, determines that such audit report is  
1149 insufficient or unsatisfactory, the authority shall cause such an audit to  
1150 be made at the expense of the company either by independent public  
1151 accountants satisfactory to the authority or by any staff of the authority  
1152 engaged in the activities contemplated by subsection (b) of section 16-  
1153 8, as amended by this act. The authority may waive the compliance  
1154 with the provisions of this section by any public service company  
1155 whose annual gross income is less than one hundred thousand dollars.

1156 Sec. 31. Section 16-237 of the general statutes is repealed and the  
1157 following is substituted in lieu thereof (*Effective from passage*):

1158 No person or corporation building and maintaining [telegraph,]  
1159 telephone or electric light or power wires or fixtures, or electrical  
1160 wires, conductors or fixtures of any kind shall, by reason of any  
1161 occupation or use of any buildings or lands for the support of the wires  
1162 of such person or corporation, or by reason of such wires passing over  
1163 or through any buildings or lands, acquire by the continuance of such  
1164 use or occupation any prescriptive right to so occupy or use the same.  
1165 No length of possession, user or occupancy of any buildings or land, or  
1166 adverse to any easement therein or right thereto belonging to a  
1167 [telegraph,] telephone or electric [light or power corporation]  
1168 distribution company, and used or acquired for use for its corporate  
1169 purposes, shall create or continue any right in or to such land, or  
1170 adverse to any such easement.

1171 Sec. 32. Section 16-238 of the general statutes is repealed and the  
1172 following is substituted in lieu thereof (*Effective from passage*):

1173 When it is deemed necessary to cut or otherwise disconnect the  
1174 wires or fixtures of any [telegraph,] telephone, electric [light or power]  
1175 distribution company or other company or association hereinbefore

1176 referred to, or to remove such wires from the poles or fixtures to which  
1177 they are attached, for the transportation of any object on the highway  
1178 or upon any waterway, any person or corporation may do so,  
1179 exercising reasonable care therein, after obtaining written consent of  
1180 the municipality or other authority having control over such highway  
1181 or waterway and the public service company or companies affected,  
1182 which consent may be granted under such reasonable conditions as  
1183 such municipality or other authority having such control and such  
1184 company or companies may impose. If such consent cannot be  
1185 secured, or if any of such conditions is not acceptable to the person or  
1186 corporation seeking such consent, the Public Utilities Regulatory  
1187 Authority shall, upon written application by such person or  
1188 corporation and after notice to all parties affected, determine the  
1189 necessity of such disconnection or removal and order the terms and  
1190 conditions under which it shall be made.

1191 Sec. 33. Subsection (c) of section 16-345 of the general statutes is  
1192 repealed and the following is substituted in lieu thereof (*Effective from*  
1193 *passage*):

1194 (c) "Public utility" means the owner or operator of underground  
1195 facilities for furnishing electric, gas, telephone, [telegraph,] pipeline,  
1196 sewage, water, community television antenna, steam or traffic signal  
1197 service, including a municipal or other public owner or operator.

1198 Sec. 34. Section 22a-470 of the general statutes is repealed and the  
1199 following is substituted in lieu thereof (*Effective from passage*):

1200 Whenever a municipality obtains a grant under this chapter for the  
1201 construction, rebuilding, expansion or acquisition of sewers or other  
1202 pollution abatement facilities and where the carrying out of such  
1203 construction, rebuilding, expansion or acquisition requires the  
1204 temporary or permanent readjustment, relocation or removal of a  
1205 public service facility from a street or public right-of-way, the  
1206 municipality shall issue an appropriate order to the company owning  
1207 or operating such facility and such company shall permanently or

1208 temporarily readjust, relocate or remove such facility promptly in  
1209 accordance with such order, provided an equitable share of the cost of  
1210 such readjustment, relocation or removal of said public service facility,  
1211 including the cost of installing and constructing a facility equal in  
1212 capacity in a new location, shall be borne by the municipality. Such  
1213 equitable share shall be one hundred per cent of such cost after the  
1214 deductions hereinafter provided. In establishing the equitable share of  
1215 the cost to be borne by the municipality, there shall be deducted from  
1216 the cost of the readjusted, relocated or removed facilities a sum based  
1217 on a consideration of the value of materials salvaged from existing  
1218 installations, the cost of the original installation, the life expectancy of  
1219 the original facility and the unexpired term of such useful life. For the  
1220 purposes of determining the equitable share of the cost of such  
1221 readjustment, relocation or removal, the books and records of the  
1222 company shall be available for the inspection of the municipality.  
1223 When any facility is removed from a street or public right-of-way to a  
1224 private right-of-way, the municipality shall not pay for such right-of-  
1225 way. If the municipality and the company owning or operating such  
1226 facility cannot agree upon the share of the cost to be borne by the  
1227 municipality, either may apply to the superior court for the judicial  
1228 district in which the street or public right-of-way is situated or, if the  
1229 court is not in session, to any judge thereof for a determination of the  
1230 cost to be borne by the municipality, and such court or judge after  
1231 causing notice of the pendency of such application to be given to the  
1232 other party, shall appoint a state referee to make such determination.  
1233 Such referee, having given at least ten days' notice to the parties  
1234 interested of the time and place of the hearing, shall hear both parties,  
1235 shall take such testimony as such referee may deem material and shall  
1236 thereupon determine the amount of the cost to be borne by the  
1237 municipality and forthwith report to the court. If the report is accepted  
1238 by the court, such determination shall, subject to right of appeal as in  
1239 civil actions, be conclusive upon such parties. As used in this section,  
1240 "public service facility" includes any sewer, pipe, main, conduit, cable,  
1241 wire, tower, building or a utility appliance owned or operated by an  
1242 electric distribution, gas, telephone, [telegraph,] water or community

1243 antenna television service company.

1244 Sec. 35. Subsection (a) of section 29-19 of the general statutes is  
1245 repealed and the following is substituted in lieu thereof (*Effective from*  
1246 *passage*):

1247 (a) The Commissioner of Emergency Services and Public Protection  
1248 may, upon the application of any electric distribution, gas, telephone [,  
1249 telegraph] or water company owning, leasing, maintaining, managing  
1250 or controlling any property, plant or equipment in this state,  
1251 commission, during his pleasure, one or more persons designated by  
1252 such company who, having been sworn, may act at the expense of such  
1253 company as policemen upon the premises used or occupied by such  
1254 company in its business, or upon any highway adjacent to such  
1255 premises, for the proper protection of such plant or property, and each  
1256 policeman so appointed may arrest and take before some proper  
1257 authority any person in his precinct for any offense committed therein.  
1258 Said commissioner may exercise such supervision and direction over  
1259 any policeman appointed as herein provided as he deems necessary.  
1260 When any such commission is issued or revoked, said commissioner  
1261 shall notify the clerk of the superior court for each judicial district in  
1262 which it is intended that such policeman shall act.

1263 Sec. 36. Section 31-16 of the general statutes is repealed and the  
1264 following is substituted in lieu thereof (*Effective from passage*):

1265 No person under the age of eighteen years shall be employed by  
1266 any [telegraph or] messenger company, in cities having a population of  
1267 twenty thousand or over, to distribute, transmit or deliver goods or  
1268 messages between the hours of ten o'clock at night and five o'clock in  
1269 the morning. The manager of the office of any corporation who  
1270 violates any provision of this section shall be fined not more than fifty  
1271 dollars for each day of such employment. The provisions of this section  
1272 shall not apply to persons under the age of eighteen who have  
1273 graduated from a secondary educational institution.



1274 Sec. 37. Subsection (g) of section 32-224 of the 2014 supplement to  
1275 the general statutes is repealed and the following is substituted in lieu  
1276 thereof (*Effective from passage*):

1277 (g) As used in this subsection, "public service facility" includes any  
1278 sewer, pipe, main conduit, cable, wire, pole, tower, building or utility  
1279 appliance owned or operated by an electric distribution, gas, telephone  
1280 [, telegraph] or water company. Whenever an implementing agency  
1281 determines that the closing of any street or public right-of-way is  
1282 provided for in a development plan adopted and approved in  
1283 accordance with sections 32-220 to 32-234, inclusive, or where the  
1284 carrying out of such a development plan, including the construction of  
1285 new improvements, requires the temporary or permanent  
1286 readjustment, relocation or removal of a public service facility from a  
1287 street or public right-of-way, the implementing agency shall issue an  
1288 appropriate order to the company owning or operating such facility.  
1289 Such company shall permanently or temporarily readjust, relocate or  
1290 remove the public service facility promptly in accordance with such  
1291 order, provided an equitable share of the cost of such readjustment,  
1292 relocation or removal, including the cost of installing and constructing  
1293 a facility of equal capacity in a new location, shall be borne by the  
1294 implementing agency. Such equitable share shall be fifty per cent of  
1295 such cost after the deduction hereinafter provided. In establishing the  
1296 equitable share of the cost to be borne by the implementing agency,  
1297 there shall be deducted from the cost of the readjusted, relocated or  
1298 removed facilities a sum based on a consideration of the value of  
1299 materials salvaged from existing installations, the cost of the original  
1300 installation, the life expectancy of the original facility and the  
1301 unexpired term of such life use. The books and records of the company  
1302 shall be made available for inspection by the implementing agency to  
1303 determine the equitable share of the cost of such readjustment,  
1304 relocation or removal. When any facility is removed from a street or  
1305 public right-of-way to a private right-of-way, the implementing agency  
1306 shall not pay for such private right-of-way. If the implementing agency  
1307 and the company owning or operating such facility cannot agree upon

1308 the share of the cost to be borne by the implementing agency, such  
1309 agency or the company may apply to the superior court for the judicial  
1310 district within which the street or public right-of-way is situated, or, if  
1311 the court is not in session, to any judge thereof, for a determination of  
1312 the cost to be borne by the implementing agency. The court or the  
1313 judge, after causing notice of the pendency of such application to be  
1314 given to the other party, shall appoint a state referee to make such  
1315 determination. The referee, having given at least ten days' notice to the  
1316 interested parties of the time and place of the hearing, shall hear both  
1317 parties, take such testimony as he may deem material and thereupon  
1318 determine the amount of the cost to be borne by the implementing  
1319 agency. The referee shall immediately report the amount to the court.  
1320 If the report is accepted by the court, such determination shall, subject  
1321 to right of appeal as in civil actions, be conclusive upon such parties.

1322 Sec. 38. Subsection (b) of section 33-645 of the general statutes is  
1323 repealed and the following is substituted in lieu thereof (*Effective from*  
1324 *passage*):

1325 (b) No corporation formed under sections 33-600 to 33-998,  
1326 inclusive, shall have power to transact in this state the business of a  
1327 [telegraph company,] gas, [electric,] electric distribution or water  
1328 company, or cemetery corporation, or of any company, except a  
1329 telephone company, requiring the right to take and condemn lands or  
1330 to occupy the public highways of this state.

1331 Sec. 39. Subsection (a) of section 33-920 of the general statutes is  
1332 repealed and the following is substituted in lieu thereof (*Effective from*  
1333 *passage*):

1334 (a) A foreign corporation, other than an insurance, surety or  
1335 indemnity company, may not transact business in this state until it  
1336 obtains a certificate of authority from the Secretary of the State. No  
1337 foreign corporation engaged in the business of a [telegraph company,]  
1338 gas, [electric,] electric distribution or water company, or cemetery  
1339 corporation, or of any company requiring the right to take and

condemn lands or to occupy the public highways of this state, and no foreign telephone company, shall transact in this state the business authorized by its certificate of incorporation or by the laws of the state under which it was organized, unless empowered so to do by some general or special act of this state, except for the purpose of carrying out and renewing contracts existing upon August 1, 1903. No insurance, surety or indemnity company shall transact business in this state until it has procured a license from the Insurance Commissioner in accordance with the provisions of section 38a-41.

Sec. 40. Subsection (b) of section 33-1035 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Except as provided in subsection (f) of this section, no corporation formed under sections 33-1000 to 33-1290, inclusive, shall, or shall have power to, transact in this state the business of an insurance company or a surety or indemnity company, railroad company, [telegraph company,] gas, [electric,] electric distribution or water company, or of any company requiring the right to take and condemn lands or to occupy the public highways of this state.

Sec. 41. Subsection (a) of section 33-1210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A foreign corporation, other than an insurance, surety or indemnity company, may not conduct affairs in this state until it obtains a certificate of authority from the Secretary of the State. No foreign corporation conducting the affairs of a state bank and trust company, savings bank or building and loan association, railroad company, [telegraph company,] gas, [electric,] electric distribution or water company, or of any company requiring the right to take and condemn lands or to occupy the public highways of this state, and no foreign telephone company, shall conduct in this state affairs authorized by its certificate of incorporation or by the laws of the state

1372 under which it was organized, unless empowered so to do by some  
1373 general or special act of this state, except for the purpose of carrying  
1374 out and renewing contracts existing upon August 1, 1903. No  
1375 insurance, surety or indemnity company shall conduct affairs in this  
1376 state until it has procured a license from the Insurance Commissioner  
1377 in accordance with the provisions of section 38a-41.

1378 Sec. 42. Subsection (d) of section 34-119 of the general statutes is  
1379 repealed and the following is substituted in lieu thereof (*Effective from*  
1380 *passage*):

1381 (d) No limited liability company formed under sections 34-100 to 34-  
1382 242, inclusive, shall have power to transact in this state the business of  
1383 a [telegraph company,] gas, [electric,] electric distribution or water  
1384 company, or cemetery corporation, or of any company, except a  
1385 telephone company, requiring the right to take and condemn lands or  
1386 to occupy the public highways of this state.

1387 Sec. 43. Section 52-380b of the general statutes is repealed and the  
1388 following is substituted in lieu thereof (*Effective from passage*):

1389 Any property of any [telegraph,] telephone [, electric] or electric  
1390 distribution company, or association engaged in distributing electricity  
1391 by wires or similar conductors, attached or liable to attachment under  
1392 the provisions of section 52-287, as amended by this act, may be  
1393 subjected to a lien by any person holding the legal title to an  
1394 unsatisfied judgment, whether by assignment or otherwise, against the  
1395 company or association, provided the creditor shall file a certificate in  
1396 writing in the office of the Secretary of the State in the form provided  
1397 in section 52-380a. If the lien is placed upon the property attached in  
1398 the suit upon which the judgment was predicated and within four  
1399 months after the judgment was rendered, it shall hold from the date of  
1400 the attachment. Any such lien may be foreclosed or redeemed in the  
1401 same manner as mortgages upon real property.

1402 Sec. 44. Subsection (b) of section 8-37jj of the general statutes is

1403 repealed and the following is substituted in lieu thereof (*Effective from*  
1404 *passage*):

1405 (b) If the Department of Housing or the Connecticut Housing  
1406 Finance Authority uses electric resistance space heating as the primary  
1407 heating source in any new construction, it shall construct the unit in  
1408 such a way as to be eligible for any available energy conservation  
1409 incentives provided by the electric distribution company, as defined in  
1410 section 16-1, as amended by this act, or the municipal utility furnishing  
1411 electric service to such unit.

1412 Sec. 45. Subdivision (13) of subsection (b) of section 9-601a of the  
1413 2014 supplement to the general statutes is repealed and the following  
1414 is substituted in lieu thereof (*Effective from passage*):

1415 (13) The advance of a security deposit by an individual to a  
1416 telephone company, as defined in section 16-1, as amended by this act,  
1417 for telecommunications service for a committee or to another utility  
1418 company, such as an electric distribution company, provided the  
1419 security deposit is refunded to the individual;

1420 Sec. 46. Subparagraph (A) of subdivision (20) of subsection (a) of  
1421 section 12-213 of the general statutes is repealed and the following is  
1422 substituted in lieu thereof (*Effective from passage*):

1423 (20) (A) "Carrying on or doing business" means and includes each  
1424 and every act, power or privilege exercised or enjoyed in this state, as  
1425 an incident to, or by virtue of, the powers and privileges acquired by  
1426 the nature of any organization whether the form of existence is  
1427 corporate, associate, joint stock company or fiduciary, and includes the  
1428 direct or indirect engaging in, transacting or conducting of activity in  
1429 this state by an electric supplier, as defined in section 16-1, as amended  
1430 by this act, or generation entity or affiliate, as defined in section 16-1,  
1431 as amended by this act, for the purpose of establishing or maintaining  
1432 a market for the sale of electricity or of electric generation services, as  
1433 defined in section 16-1, as amended by this act, to end use customers

1434 located in this state through the use of the transmission or distribution  
1435 facilities of an electric distribution company, as defined in section 16-1,  
1436 as amended by this act; [, or, until unbundled in accordance with  
1437 section 16-244e, electric company, as defined in section 16-1;]

1438 Sec. 47. Subsection (b) of section 12-265 of the general statutes is  
1439 repealed and the following is substituted in lieu thereof (*Effective from*  
1440 *passage*):

1441 (b) (1) Each company and municipal utility included in section 12-  
1442 264, other than an electric distribution company, as defined in section  
1443 16-1, as amended by this act, included in subsection (c) of section 12-  
1444 264, and other than a municipality, or department or agency thereof, or  
1445 district manufacturing, selling or distributing electricity to be used for  
1446 light, heat or power, shall be taxed at the rate of five per cent upon the  
1447 amount of gross earnings in each taxable quarter from operations,  
1448 except as set forth in subsection (c) or (d) of this section and except that  
1449 each company and municipal utility manufacturing, selling or  
1450 distributing gas or electricity to be used for light, heat or power shall  
1451 be taxed at the rate of four per cent upon the amount of gross earnings  
1452 in each taxable quarter allocable to residential service, but deduction  
1453 shall be made of gross earnings (A) from all sales for resale of water,  
1454 steam, gas and electricity to public service corporations and municipal  
1455 utilities, whether or not such purchasers are Connecticut public service  
1456 corporations or Connecticut municipal utilities, and whether or not  
1457 they are subject to the tax imposed by this chapter, (B) from any  
1458 federal BTU energy tax included in adjustment clause and base-rate  
1459 revenues, (C) from sales of appliances using water, steam, gas or  
1460 electricity by each such company of the net invoice price plus  
1461 transportation costs of such appliances, (D) of electric distribution and  
1462 gas companies, as defined in section 16-1, as amended by this act, from  
1463 energy conservation loan programs, (E) from all sales for resale of gas  
1464 to companies registered pursuant to section 16-258a, and (F) from all  
1465 sales of natural gas to a user or entity located outside the state.

1466 (2) Gross earnings for any taxable quarter, for the purposes of

1467 assessment and taxation, shall be as follows: (A) In the case of a  
1468 company or municipal utility, other than a municipality, or  
1469 department or agency thereof, or district manufacturing, selling or  
1470 distributing electricity to be used for light, heat or power, carrying on  
1471 business or operating entirely within this state, the amount of gross  
1472 earnings from operations; (B) in the case of a company or municipal  
1473 utility, other than a municipality, or department or agency thereof, or  
1474 district manufacturing, selling or distributing electricity to be used for  
1475 light, heat or power, carrying on business or operations a part of which  
1476 is outside of this state, (i) such portion of the amount of gross earnings  
1477 from operations determined under the provisions of section 12-264 as  
1478 is represented by the ratio of the number of miles of water or steam  
1479 pipes, gas mains or electric wires operated by such company or  
1480 municipal utility within this state on the first day and on the last day  
1481 of the calendar year immediately preceding to the total number of  
1482 miles of water or steam pipes, gas mains or electric wires operated by  
1483 such company or municipal utility on said dates; or (ii) in the case of a  
1484 company required to register pursuant to section 16-258a, such portion  
1485 of the amount of gross earnings from operations determined under the  
1486 provisions of section 12-264 as is represented by the ratio of the sales in  
1487 this state to end users during such quarter to the total sales  
1488 everywhere to end users during such quarter.

1489 Sec. 48. Subdivision (4) of subsection (b) of section 16-8 of the 2014  
1490 supplement to the general statutes is repealed and the following is  
1491 substituted in lieu thereof (*Effective from passage*):

1492 (4) A complete audit of each portion of each gas [, electric] company  
1493 or electric distribution company having more than seventy-five  
1494 thousand customers shall begin no less frequently than every six years,  
1495 so that a complete audit of such a company's operations shall be  
1496 performed every six years. Such an audit of each such company having  
1497 more than seventy-five thousand customers shall be updated as  
1498 required by the authority.

1499 Sec. 49. Subsection (a) of section 16-11a of the general statutes is

1500 repealed and the following is substituted in lieu thereof (*Effective from*  
1501 *passage*):

1502 (a) There is established a Nuclear Energy Advisory Council which  
1503 shall (1) hold regular public meetings for the purpose of discussing  
1504 issues relating to the safety and operation of the nuclear power  
1505 generating facilities located in this state and to advise the Governor,  
1506 the General Assembly and municipalities within a five-mile radius of  
1507 any nuclear power generating facility in this state of such issues, (2)  
1508 work in conjunction with agencies of the federal, state and local  
1509 governments [and with any electric company operating a nuclear  
1510 power generating facility] to ensure the public health and safety, (3)  
1511 discuss proposed changes in or problems arising from the operation of  
1512 a nuclear power generating facility, (4) communicate with any  
1513 [electric] company operating a nuclear power generating facility about  
1514 safety or operational concerns at the facility, which communications  
1515 may include, but not be limited to, receipt of written reports and  
1516 presentations to the council, and (5) review the current status of  
1517 facilities with the Nuclear Regulatory Commission.

1518 Sec. 50. Subsection (a) of section 16-19 of the 2014 supplement to the  
1519 general statutes is repealed and the following is substituted in lieu  
1520 thereof (*Effective from passage*):

1521 (a) No public service company may charge rates in excess of those  
1522 previously approved by the Public Utilities Control Authority or the  
1523 Public Utilities Regulatory Authority, except that any rate approved by  
1524 the Public Utilities Commission, the Public Utilities Control Authority  
1525 or the Public Utilities Regulatory Authority shall be permitted until  
1526 amended by the Public Utilities Regulatory Authority, that rates not  
1527 approved by the Public Utilities Regulatory Authority may be charged  
1528 pursuant to subsection (b) of this section, and that the hearing  
1529 requirements with respect to adjustment clauses are as set forth in  
1530 section 16-19b, as amended by this act. For water companies, existing  
1531 rates shall include the amount of any adjustments approved pursuant  
1532 to section 16-262w since the company's most recent general rate case,



provided any adjustment amount shall be separately identified in any customer bill. Each public service company shall file any proposed amendment of its existing rates with the authority in such form and in accordance with such reasonable regulations as the authority may prescribe. Each [electric,] electric distribution, gas or telephone company filing a proposed amendment shall also file with the authority an estimate of the effects of the amendment, for various levels of consumption, on the household budgets of high and moderate income customers and customers having household incomes not more than one hundred fifty per cent of the federal poverty level. Each [electric and] electric distribution company shall also file such an estimate for space heating customers. Each water company, except a water company that provides water to its customers less than six consecutive months in a calendar year, filing a proposed amendment, shall also file with the authority a plan for promoting water conservation by customers in such form and in accordance with a memorandum of understanding entered into by the authority pursuant to section 4-67e. Each public service company shall notify each customer who would be affected by the proposed amendment, by mail, at least one week prior to the first public hearing thereon, but not earlier than six weeks prior to such first public hearing, that an amendment has been or will be requested. Such notice shall also indicate (1) the date, time and location of any scheduled public hearing, (2) a statement that customers may provide written comments regarding the proposed amendment to the Public Utilities Regulatory Authority or appear in person at any scheduled public hearing, (3) the Public Utilities Regulatory Authority telephone number for obtaining information concerning the schedule for public hearings on the proposed amendment, and (4) whether the proposed amendment would, in the company's best estimate, increase any rate or charge by twenty per cent or more, and, if so, describe in general terms any such rate or charge and the amount of the proposed increase, provided no such company shall be required to provide more than one form of the notice to each class of its customers. In the case of a proposed amendment to the rates of any public service company, the authority

1568 shall hold one or more public hearings thereon, except as permitted  
1569 with respect to interim rate amendments by subsections (d) and (g) of  
1570 this section, and shall make such investigation of such proposed  
1571 amendment of rates as is necessary to determine whether such rates  
1572 conform to the principles and guidelines set forth in section 16-19e, as  
1573 amended by this act, or are unreasonably discriminatory or more or  
1574 less than just, reasonable and adequate, or that the service furnished by  
1575 such company is inadequate to or in excess of public necessity and  
1576 convenience. The authority, if in its opinion such action appears  
1577 necessary or suitable in the public interest may, and, upon written  
1578 petition or complaint of the state, under direction of the Governor,  
1579 shall, make the aforesaid investigation of any such proposed  
1580 amendment which does not involve an alteration in rates. If the  
1581 authority finds any proposed amendment of rates to not conform to  
1582 the principles and guidelines set forth in section 16-19e, as amended by  
1583 this act, or to be unreasonably discriminatory or more or less than just,  
1584 reasonable and adequate to enable such company to provide properly  
1585 for the public convenience, necessity and welfare, or the service to be  
1586 inadequate or excessive, it shall determine and prescribe, as  
1587 appropriate, an adequate service to be furnished or just and reasonable  
1588 maximum rates and charges to be made by such company. In the case  
1589 of a proposed amendment filed by an [electric,] electric distribution,  
1590 gas or telephone company, the authority shall also adjust the estimate  
1591 filed under this subsection of the effects of the amendment on the  
1592 household budgets of the company's customers, in accordance with the  
1593 rates and charges approved by the authority. The authority shall issue  
1594 a final decision on each rate filing within one hundred fifty days from  
1595 the proposed effective date thereof, provided it may, before the end of  
1596 such period and upon notifying all parties and intervenors to the  
1597 proceedings, extend the period by thirty days.

1598 Sec. 51. Section 16-19a of the general statutes is repealed and the  
1599 following is substituted in lieu thereof (*Effective from passage*):

1600 (a) (1) The Public Utilities Regulatory Authority shall, at intervals of

not more than four years from the last previous general rate hearing of each gas [, electric] and electric distribution company having more than seventy-five thousand customers, conduct a complete review and investigation of the financial and operating records of each such company and hold a public hearing to determine whether the rates of each such company are unreasonably discriminatory or more or less than just, reasonable and adequate, or that the service furnished by such company is inadequate to or in excess of public necessity and convenience or that the rates do not conform to the principles and guidelines set forth in section 16-19e, as amended by this act. In making such determination, the authority shall consider the gross and net earnings of such company since its last previous general rate hearing, its retained earnings, its actual and proposed capital expenditures, its advertising expenses, the dividends paid to its stockholders, the rate of return paid on its preferred stock, bonds, debentures and other obligations, its credit rating, and such other financial and operating information as the authority may deem pertinent.

(2) The authority may conduct a general rate hearing in accordance with subsection (a) of section 16-19, as amended by this act, in lieu of the periodic review and investigation proceedings required under subdivision (1) of this subsection.

(b) In the proceeding required under subdivision (1) of subsection (a) of this section, the authority may approve performance-based incentives to encourage a gas or electric distribution company to operate efficiently and provide high quality service at fair and reasonable prices. Notwithstanding subsection (a) of this section, if the authority approves such performance-based incentives for a particular company, the authority shall include in such approval a framework for periodic monitoring and review of the company's performance in regard to criteria specified by the authority, which shall include, but not be limited to, the company's return on equity, reliability and quality of service. The authority's periodic monitoring and review shall

1634 be used in lieu of the periodic review and investigation proceedings  
1635 required under subdivision (1) of subsection (a) of this section. If the  
1636 authority determines in the periodic monitoring and review that a  
1637 more extensive review of company performance is necessary, the  
1638 authority may institute a further proceeding in accordance with the  
1639 purposes of this chapter, including a complete review and  
1640 investigation described in subdivision (1) of subsection (a) of this  
1641 section.

1642 Sec. 52. Subsection (c) of section 16-19b of the 2014 supplement to  
1643 the general statutes is repealed and the following is substituted in lieu  
1644 thereof (*Effective from passage*):

1645 (c) If the authority, after notice and hearing, determines that the  
1646 adoption of an energy adjustment clause would protect the interests of  
1647 ratepayers of an electric distribution company, ensure economy and  
1648 efficiency in energy production and purchase by the electric  
1649 distribution company and achieve the objectives set forth in subsection  
1650 (a) of section 16-19, as amended by this act, and in section 16-19e, as  
1651 amended by this act, better than would the continued operation of a  
1652 fuel adjustment clause and a generation utilization adjustment clause,  
1653 the authority shall approve an energy adjustment clause to be  
1654 superimposed upon the existing rate schedule of the electric  
1655 distribution company. The authority shall design any such energy  
1656 adjustment clause to reflect cost-efficient energy resource procurement  
1657 and to recover the costs of energy that are proper for rate-making  
1658 purposes and for which the authority has not authorized recovery  
1659 through base rates. These costs, reflecting prudent and efficient  
1660 management and operations, may include, but are not limited to, the  
1661 costs of oil, gas, coal, nuclear fuel, wood or other fuels, and energy  
1662 transactions with other utilities, nonutility generators or power pools,  
1663 all or part of the cost of conservation and load management, and the  
1664 gross earnings tax imposed by section 12-264 on the revenues from the  
1665 energy sources subject to the energy adjustment clause. The authority  
1666 shall design the energy adjustment clause to provide for recovery of

1667 energy costs prudently incurred by an electric distribution company in  
1668 accordance with section 16-19e, as amended by this act.  
1669 Notwithstanding the provisions of section 16-19, as amended by this  
1670 act, the authority shall change an energy adjustment clause in  
1671 accordance with the provisions of subsections (e) and (h) of this  
1672 section. An energy adjustment clause approved pursuant to this  
1673 section shall apply to all electric distribution companies similarly  
1674 affected by the costs which form the basis for the adjustment clause.

1675 Sec. 53. Subsection (e) of section 16-19b of the 2014 supplement to  
1676 the general statutes is repealed and the following is substituted in lieu  
1677 thereof (*Effective from passage*):

1678 (e) No proposed purchased gas adjustment, energy adjustment  
1679 charge or credit or transmission rate shall become effective until the  
1680 Public Utilities Regulatory Authority has approved such charges or  
1681 credits pursuant to an administrative proceeding. Such an  
1682 administrative proceeding shall be open to the public and shall be  
1683 convened within ten days of the filing of an application by an electric  
1684 distribution or gas company requesting such a proceeding. Notice of  
1685 such application and proceeding shall be published at least five days  
1686 prior to such proceeding in a newspaper of general circulation in the  
1687 area served by such company. The authority shall receive and consider  
1688 comments of interested persons and members of the public at such a  
1689 proceeding, which shall not be considered a contested case for  
1690 purposes of title 4, this title or any regulation adopted thereunder. Any  
1691 approval or denial of the authority pursuant to this subsection shall  
1692 not be deemed an order, authorization or decision of the authority for  
1693 purposes of section 16-35. After notice and hearing, the authority shall  
1694 adopt regulations, in accordance with chapter 54, which shall include  
1695 the requirements of the filing to support the requested charge or credit.  
1696 Notwithstanding the provisions of this section, in the event that the  
1697 authority has not rendered an approval or denial concerning any such  
1698 application within five days of the day the administrative proceeding  
1699 shall have been convened, the proposed charges or credits (1) shall

1700 become effective at the option of the company pending the authority's  
1701 finding with respect to such charges, or (2) in the discretion of the  
1702 authority, may become effective upon the filing by the company with  
1703 the authority of an assurance. Such assurance may include a bond with  
1704 surety, and shall satisfy the authority of the company's ability and  
1705 willingness to refund to its customers any such amounts as the  
1706 company may collect from them in excess of the charges approved by  
1707 the authority in its finding.

1708 Sec. 54. Subsections (j) to (l), inclusive, of section 16-19b of the 2014  
1709 supplement to the general statutes are repealed and the following is  
1710 substituted in lieu thereof (*Effective from passage*):

1711 (j) Any purchased gas adjustment clause or energy adjustment  
1712 clause approved by the authority may include a provision designed to  
1713 allow the electric distribution or gas company to charge or reimburse  
1714 the customer for any under-recovery or over-recovery of overhead and  
1715 fixed costs due solely to the deviation of actual retail sales of electricity  
1716 or gas from projected retail sales of electricity or gas. The authority  
1717 shall include such provision in any energy adjustment clause approved  
1718 for an electric distribution company if it determines (1) that a  
1719 significant cause of excess earnings by the electric distribution  
1720 company is an increase in actual retail sales of electricity over projected  
1721 retail sales of electricity as determined at the time of the electric  
1722 distribution company's most recent rate amendment, and (2) that such  
1723 provision is likely to benefit the customers of the electric distribution  
1724 company.

1725 [(k) Notwithstanding the provisions of this section, an approved  
1726 fossil fuel adjustment clause or generation utilization adjustment  
1727 clause in effect for an electric company on July 1, 1995, shall remain in  
1728 effect in its form and method of operation as of said date until the  
1729 authority has approved an energy adjustment clause for the company  
1730 and the approved energy adjustment clause is in effect.]

1731 [(l)] (k) Notwithstanding the provisions of this section, upon the

1732 application of any gas company, the authority may modify, suspend or  
1733 discontinue a purchased gas adjustment clause for one or more gas  
1734 companies if the authority determines that as part of an overall  
1735 performance-based rate plan, such modification, suspension or  
1736 discontinuance will ensure safety and reliability, will provide  
1737 substantial financial benefits to ratepayers at least equal to those  
1738 provided to the gas company and will lower the rates below what they  
1739 would be without such modification, suspension or discontinuance, as  
1740 determined by the authority.

1741 Sec. 55. Subsection (b) of section 16-19d of the general statutes is  
1742 repealed and the following is substituted in lieu thereof (*Effective from*  
1743 *passage*):

1744 (b) The cost of political, institutional or promotional advertising of  
1745 any gas [, electric] company or electric distribution company and the  
1746 cost of political or institutional advertising of any telephone company  
1747 shall not be deemed to be an operating expense in any rate schedule  
1748 proceedings held pursuant to section 16-19, as amended by this act.  
1749 For the purposes of this section, political, institutional or promotional  
1750 advertising shall not be deemed to include reasonable expenditures for  
1751 (1) the publication or distribution of existing or proposed tariffs or rate  
1752 schedules; (2) notices required by law or regulation; (3) public  
1753 information regarding service interruptions, safety measures,  
1754 emergency conditions, employment opportunities or the means by  
1755 which customers can conserve energy or make efficient and  
1756 economical use of service; (4) the promotion or marketing of efficient  
1757 gas and electric equipment which the Public Utilities Regulatory  
1758 Authority determines: (A) Is consistent with the state's energy policy;  
1759 (B) is consistent with integrated resource planning principles; (C)  
1760 provides net economic benefit to such company's customers; and (D)  
1761 shall not have the primary purpose of promoting one fuel over  
1762 another; or (5) advertising by a gas company that is necessary as a  
1763 result of competition created by actions and decisions of the Federal  
1764 Energy Regulatory Commission and the Public Utilities Regulatory

1765 Authority. Such advertising shall be limited to the express purpose of  
1766 promoting gas companies in competition with other providers and  
1767 marketers of natural gas. Such advertising shall not include any  
1768 promotions, cash, equipment, installation or service subsidies for the  
1769 conversion to natural gas from any other energy source.

1770 Sec. 56. Subsection (f) of section 16-19d of the general statutes is  
1771 repealed and the following is substituted in lieu thereof (*Effective from*  
1772 *passage*):

1773 (f) Each gas [, electric] or electric distribution company shall  
1774 conspicuously indicate in all of its advertising whether the costs of the  
1775 advertising are being paid for by the company's shareholders, its  
1776 customers or both.

1777 Sec. 57. Subsections (b) to (d), inclusive, of section 16-19e of the 2014  
1778 supplement to the general statutes are repealed and the following is  
1779 substituted in lieu thereof (*Effective from passage*):

1780 (b) The Public Utilities Regulatory Authority shall promptly  
1781 undertake a separate, general investigation of, and shall hold at least  
1782 one public hearing on new pricing principles and rate structures for  
1783 electric distribution companies and for gas companies to consider,  
1784 without limitation, long run incremental cost of marginal cost pricing,  
1785 peak load or time of day pricing and proposals for optimizing the  
1786 utilization of energy and restraining its wasteful use and encouraging  
1787 energy conservation, and any other matter with respect to pricing  
1788 principles and rate structures as the authority shall deem appropriate.  
1789 The authority shall determine whether existing or future rate  
1790 structures place an undue burden upon those persons of poverty  
1791 status and shall make such adjustment in the rate structure as is  
1792 necessary or desirable to take account of their indigency. The authority  
1793 shall require the utilization of such new principles and structures to  
1794 the extent that the authority determines that their implementation is in  
1795 the public interest, as identified by the Department of Energy and  
1796 Environmental Protection in the Integrated Resources Plan and the



1797 Comprehensive Energy Strategy, and necessary or desirable to  
1798 accomplish the purposes of this provision without being unfair or  
1799 discriminatory or unduly burdensome or disruptive to any group or  
1800 class of customers, and determines that such principles and structures  
1801 are capable of yielding required revenues. In reviewing the rates and  
1802 rate structures of electric and gas companies, the authority shall be  
1803 guided by the goals of the Department of Energy and Environmental  
1804 Protection, as described in section 22a-2d, the Comprehensive Energy  
1805 Strategy, the Integrated Resources Plan and the Conservation and  
1806 Load Management Plan. The authority shall issue its initial findings on  
1807 such investigation by December 1, 1976, and its final findings and  
1808 order by June 1, 1977; provided that after such final findings and order  
1809 are issued, the authority shall at least once every two years undertake  
1810 such further investigations as it deems appropriate with respect to new  
1811 developments or desirable modifications in pricing principles and rate  
1812 structures and, after holding at least one public hearing thereon, shall  
1813 issue its findings and order thereon.

1814 (c) The Department of Energy and Environmental Protection shall  
1815 coordinate and integrate its actions, decisions and policies pertaining  
1816 to gas and electric distribution companies, so far as possible, with the  
1817 actions, decisions and policies of other agencies and instrumentalities  
1818 in order to further the development and optimum use of the state's  
1819 energy resources and conform to the greatest practicable extent with  
1820 the state energy policy as stated in section 16a-35k, the Comprehensive  
1821 Energy Strategy and the Integrated Resources Plan taking into account  
1822 prudent management of the natural environment and continued  
1823 promotion of economic development within the state. The department  
1824 shall defer, as appropriate, to any actions taken by other agencies and  
1825 instrumentalities on matters within their respective jurisdictions.

1826 (d) The Commissioner of Energy and Environmental Protection, the  
1827 Commissioner of Economic and Community Development, and the  
1828 Connecticut Siting Council may be made parties to each proceeding on  
1829 a rate amendment proposed by a gas [, electric] or electric distribution

1830 company and shall participate in such proceedings to the extent  
1831 necessary.

1832 Sec. 58. Section 16-19bb of the general statutes is repealed and the  
1833 following is substituted in lieu thereof (*Effective from passage*):

1834 The Public Utilities Regulatory Authority shall require that any  
1835 funds held by an [electric or] electric distribution company in excess of  
1836 the company's authorized return on equity, which funds are intended  
1837 by the authority to offset future rate increases in lieu of a present rate  
1838 decrease, shall be applied to such rate increases or shall be refunded to  
1839 the company's customers [not later than July 1, 1988. Any such funds  
1840 collected by the company after July 1, 1988, shall be applied to offset  
1841 such rate increases or refunded to the company's customers] within  
1842 one year of receipt.

1843 Sec. 59. Section 16-19ee of the general statutes is repealed and the  
1844 following is substituted in lieu thereof (*Effective from passage*):

1845 Each [electric or] electric distribution company [with more than  
1846 seventy-five thousand customers,] shall, in its periodic report to the  
1847 Public Utilities Regulatory Authority, concerning electrical outages,  
1848 indicate which outages resulted from a power surge.

1849 Sec. 60. Subsection (a) of section 16-19ff of the 2014 supplement to  
1850 the general statutes is repealed and the following is substituted in lieu  
1851 thereof (*Effective from passage*):

1852 (a) Notwithstanding any provisions of the general statutes to the  
1853 contrary, each [electric company or] electric distribution company shall  
1854 allow the installation of submeters at (1) a recreational campground,  
1855 (2) individual slips at marinas for metering the electric use by  
1856 individual boat owners, (3) commercial, industrial, multifamily  
1857 residential or multiuse buildings where the electric power or thermal  
1858 energy is provided by a Class I renewable energy source, as defined in  
1859 section 16-1, as amended by this act, or a combined heat and power  
1860 system, as defined in section 16-1, as amended by this act, or (4) in any

1861 other location as approved by the authority where submetering  
1862 promotes the state's energy goals, as described in the Comprehensive  
1863 Energy Strategy, while protecting consumers against termination of  
1864 residential utility service or other related issues. Each entity approved  
1865 to submeter by the Public Utilities Regulatory Authority, pursuant to  
1866 subsection (c) of this section, shall provide electricity to any allowed  
1867 facility, as described in this subsection, at a rate no greater than the  
1868 rate charged to that customer class for the service territory in which  
1869 such allowed facility is located, provided nothing in this section shall  
1870 permit such entity to charge a submetered account for (A) usage for  
1871 any common areas of a commercial, industrial or multifamily  
1872 residential building, or (B) other usage not solely for use by such  
1873 account.

1874 Sec. 61. Subsection (b) of section 16-19hh of the 2014 supplement to  
1875 the general statutes is repealed and the following is substituted in lieu  
1876 thereof (*Effective from passage*):

1877 (b) Notwithstanding the provisions of subsection (a) of this section,  
1878 an [electric company or] electric distribution company that (1)  
1879 renegotiates, extends or renews any special contract for electric service  
1880 that is in effect on July 1, 2000, and has a term that expires prior to July  
1881 1, 2000, for a term that extends beyond June 30, 2000, or (2) enters into  
1882 any new special contracts for electric service, shall provide in any such  
1883 renegotiated, extended, renewed or new contract for the collection of  
1884 the assessment required under section 16-245g, as amended by this act,  
1885 as provided in said section 16-245g and for the collection of the charge  
1886 required in section 16-245l, as amended by this act, as provided in said  
1887 section 16-245l, provided no such contract shall shift costs to other  
1888 ratepayers.

1889 Sec. 62. Subsections (a) and (b) of section 16-19kk of the 2014  
1890 supplement to the general statutes are repealed and the following is  
1891 substituted in lieu thereof (*Effective from passage*):

1892 (a) The General Assembly finds that if the earnings of electric, gas,

1893 telephone and water public service companies, as defined in section  
1894 16-1, as amended by this act, are adversely affected by such companies'  
1895 conservation and load management programs or other programs  
1896 promoting the state's economic development, energy and other policy,  
1897 those companies will have a disincentive to implement such programs.  
1898 The General Assembly further finds that in order to further the  
1899 implementation of such programs the earnings of electric, gas,  
1900 telephone and water public service companies should be consistent  
1901 with the principles and guidelines set forth in this section and sections  
1902 16-19e, as amended by this act, and [16-19kk] 16-19ll to 16-19oo,  
1903 inclusive, as amended by this act, and 16a-49 notwithstanding  
1904 participation in conservation and load management programs and  
1905 other programs authorized by the Public Utilities Regulatory  
1906 Authority, promoting the state's economic development, energy and  
1907 other policy.

1908 (b) [The authority shall complete, on or before December 31, 1991,  
1909 an investigation into the relationship between a company's volume of  
1910 sales and its earnings.] The authority shall, on or before July 1, 1993,  
1911 implement rate-making and other procedures and practices in order to  
1912 encourage the implementation of conservation and load management  
1913 programs and other programs authorized by the authority promoting  
1914 the state's economic development, energy and other policy. Such  
1915 procedures to implement a modification or elimination of any direct  
1916 relationship between the volume of sales and the earnings of electric,  
1917 gas, telephone and water public service companies may include the  
1918 adoption of a sales adjustment clause pursuant to subsection (j) of  
1919 section 16-19b, as amended by this act, or other adjustment clause  
1920 similar thereto. [The authority's investigation shall include a review of  
1921 its regulations and policies to identify any existing disincentives to the  
1922 development and implementation of cost effective conservation and  
1923 load management programs and other programs promoting the state's  
1924 economic development, energy and other policy.]

1925 Sec. 63. Section 16-19oo of the 2014 supplement to the general

1926 statutes is repealed and the following is substituted in lieu thereof  
1927 (*Effective from passage*):

1928 In order to promote an electric distribution, gas, telephone and  
1929 water company's conservation and load management programs or  
1930 other programs promoting the state's economic development, energy  
1931 and other policy, the Public Utilities Regulatory Authority may  
1932 approve rate amendments for any such company, pursuant to  
1933 subsection (a) of section 16-19, as amended by this act, or, upon the  
1934 request of a company in a proceeding, other than a rate proceeding  
1935 pursuant to said subsection. Upon filing by a gas company of a natural  
1936 gas infrastructure expansion plan in accordance with section 16-19ww,  
1937 the authority may approve in a contested proceeding new rate  
1938 mechanisms to recover the costs of such plan.

1939 Sec. 64. Section 16-19rr of the general statutes is repealed and the  
1940 following is substituted in lieu thereof (*Effective from passage*):

1941 Each [electric company, each] municipal electric utility established  
1942 under chapter 101 and each electric utility owned, leased, maintained,  
1943 operated, managed or controlled by any unit of local government  
1944 under any general statute or special act shall, upon request, provide  
1945 electricity and each electric distribution company shall, upon request,  
1946 provide electric distribution services to military veterans' posts and  
1947 organizations that are exempt from federal taxation under Section  
1948 501(c) of the Internal Revenue Code of 1986, or any subsequent  
1949 corresponding internal revenue code of the United States, as from time  
1950 to time amended, at the lesser of the residential or commercial rate for  
1951 the service territory in which the facility is located, provided such rates  
1952 are not inconsistent with said chapter 101 or any municipal charter or  
1953 ordinance adopted pursuant thereto, or with any such special act.

1954 Sec. 65. Section 16-19uu of the general statutes is repealed and the  
1955 following is substituted in lieu thereof (*Effective from passage*):

1956 (a) At such time as economic recovery revenue bonds are issued to

1957 fund the economic recovery transfer, the Public Utilities Regulatory  
1958 Authority shall ensure that the competitive transition assessment  
1959 charged to customers of each [electric company or] electric distribution  
1960 company is adjusted to reflect the lower charge to be paid by  
1961 customers. No [electric company or] electric distribution company may  
1962 bill any customer an amount for the competitive transition assessment  
1963 that is in excess of the amount necessary to fund the economic  
1964 recovery transfer.

1965 (b) At such time as the competitive transition assessment charged to  
1966 customers has allowed full or partial recovery by the financing entity  
1967 of any economic recovery revenue bonds and full or partial recovery  
1968 by the [electric company or] electric distribution company of stranded  
1969 costs not funded with the proceeds of economic recovery revenue  
1970 bonds, the authority shall ensure that the competitive transition  
1971 assessment charged to customers of each [electric company or] electric  
1972 distribution company is adjusted to reflect, in the case of a partial  
1973 recovery, the lower charge to be paid by customers, and, in the case of  
1974 a full recovery, the absence of such assessment. No [electric company  
1975 or] electric distribution company may bill any customer an amount for  
1976 the competitive transition assessment that is in excess of the amount  
1977 necessary to fund economic recovery revenue bonds or stranded costs.

1978 Sec. 66. Subsection (a) of section 16-32c of the general statutes is  
1979 repealed and the following is substituted in lieu thereof (*Effective from*  
1980 *passage*):

1981 (a) Notwithstanding the provisions of section 16-19, as amended by  
1982 this act, a water company, as defined in section 16-1, as amended by  
1983 this act, may charge rates in excess of or less than those approved by  
1984 the Public Utilities Regulatory Authority, after a limited hearing as  
1985 deemed appropriate by the authority, by adjusting existing rates to  
1986 compensate for increases or decreases only in the company's following  
1987 expenses: (1) The price of water purchased for redistribution to its  
1988 customers from another water company or governmental authority  
1989 whose rates have been adjusted; (2) the price of gas or electricity

1990 purchased from a gas [, electric] or electric distribution company,  
1991 electric supplier or governmental authority whose rates have been  
1992 adjusted; (3) federal, state and local taxes or other government  
1993 assessments on revenue, income or property; (4) fees charged by any  
1994 federal or state agency or other government entity that has jurisdiction  
1995 over the company; (5) fees, or changes in fees, charged for federal and  
1996 state mandated monitoring of the quality of the company's water  
1997 supply; and (6) changes in expenses due to inflation that, in the  
1998 opinion of the authority, are subject to an inflation adjustment in rate  
1999 schedule proceedings held pursuant to section 16-19, as amended by  
2000 this act. The amount of any adjustment of rates shall not exceed the  
2001 aggregate net amount of increases and decreases in the expenses set  
2002 forth in this subsection on an annualized basis, provided that such  
2003 adjustment shall not cause the company's projected return on equity  
2004 for the following twelve-month period to exceed the return on equity  
2005 authorized in the company's most recent proceeding for an  
2006 amendment of rates pursuant to section 16-19, as amended by this act.  
2007 A company may adjust its rates pursuant to this section only (A) when  
2008 the aggregate effect of increases or decreases in such expenses equals  
2009 or exceeds one half of one per cent of the company's operating  
2010 revenues for the twelve-month period commencing after the authority  
2011 issued a decision on the company's most recent application for an  
2012 amendment of rates pursuant to section 16-19, as amended by this act,  
2013 and (B) once in any twelve-month period. A company shall not adjust  
2014 its rates pursuant to this section in any twelve-month period following  
2015 approval of an amendment of rates by the authority pursuant to  
2016 section 16-19, as amended by this act.

2017 Sec. 67. Section 16-32g of the general statutes is repealed and the  
2018 following is substituted in lieu thereof (*Effective from passage*):

2019 Not later than January 1, 2008, and annually thereafter, each [electric  
2020 or] electric distribution company shall submit to the Public Utilities  
2021 Regulatory Authority a plan for the maintenance of poles, wires,  
2022 conduits or other fixtures, along public highways or streets for the

transmission or distribution of electric current, owned, operated, managed or controlled by such company, in such format as the authority shall prescribe. Such plan shall include a summary of appropriate staffing levels necessary for the maintenance of said fixtures and a program for the trimming of tree branches and limbs located in close proximity to overhead electric wires where such branches and limbs may cause damage to such electric wires. The authority shall review each plan and may issue such orders as may be necessary to ensure compliance with this section. The authority may require each [electric or] electric distribution company to submit an updated plan at such time and containing such information as the authority may prescribe. The authority shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this section.

Sec. 68. Subdivision (7) of subsection (d) of section 16-32h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(7) Tree trimming, cutting and removal by each [electric company and] electric distribution company to reduce service outages caused by trees and limbs;

Sec. 69. Section 16-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section and section 16-47a, (1) "holding company" means any corporation, association, partnership, trust or similar organization, or person which, either alone or in conjunction and pursuant to an arrangement or understanding with one or more other corporations, associations, partnerships, trusts or similar organizations, or persons, directly or indirectly, controls a gas, [electric,] electric distribution, water, telephone or community antenna television company, and (2) "control" means the possession of the power to direct or cause the direction of the management and policies of a gas, [electric,] electric distribution, water, telephone or community



2055 antenna television company or a holding company, whether through  
2056 the ownership of its voting securities, the ability to effect a change in  
2057 the composition of its board of directors or otherwise, provided,  
2058 control shall not be deemed to arise solely from a revocable proxy or  
2059 consent given to a person in response to a public proxy or consent  
2060 solicitation made pursuant to and in accordance with the applicable  
2061 rules and regulations of the Securities Exchange Act of 1934 unless a  
2062 participant in said solicitation has announced an intention to effect a  
2063 merger or consolidation with, reorganization, or other business  
2064 combination or extraordinary transaction involving the gas, [electric,  
2065 electric distribution, water, telephone or community antenna television  
2066 company or the holding company. Control shall be presumed to exist  
2067 if a person directly or indirectly owns ten per cent or more of the  
2068 voting securities of a gas, [electric,] electric distribution, water,  
2069 telephone or community antenna television company or a holding  
2070 company, provided the authority may determine, after conducting a  
2071 hearing, that said presumption of control has been rebutted by a  
2072 showing that such ownership does not in fact confer control.

2073 (b) No gas, [electric,] electric distribution, water, telephone or  
2074 community antenna television company, or holding company, or any  
2075 official, board or commission purporting to act under any  
2076 governmental authority other than that of this state or of its divisions,  
2077 municipal corporations or courts, shall interfere or attempt to interfere  
2078 with or, directly or indirectly, exercise or attempt to exercise authority  
2079 or control over any gas, [electric,] electric distribution, water,  
2080 telephone or community antenna television company engaged in the  
2081 business of supplying service within this state, or with or over any  
2082 holding company doing the principal part of its business within this  
2083 state, without first making written application to and obtaining the  
2084 approval of the Public Utilities Regulatory Authority, except as the  
2085 United States may properly regulate actual transactions in interstate  
2086 commerce.

2087 (c) No corporation, association, partnership, trust or similar

2088 organization, or person shall take any action that causes it to become a  
2089 holding company with control over a gas, [electric,] electric  
2090 distribution, water, telephone or community antenna television  
2091 company engaged in the business of supplying service within this  
2092 state, or acquire, directly or indirectly, control over such a holding  
2093 company, or take any action that would if successful cause it to  
2094 become or to acquire control over such a holding company, without  
2095 first making written application to and obtaining the approval of the  
2096 authority. Any such corporation, association, partnership, trust or  
2097 similar organization, or person applying to the authority for such  
2098 approval shall pay the reasonable expenses incurred by the authority  
2099 in carrying out its duties under this subsection, and accordingly, shall  
2100 deposit with the authority a bond, executed by a surety company  
2101 authorized to do business in this state, in the amount of fifty thousand  
2102 dollars, conditioned to indemnify the authority for such expenses.

2103 (d) The Public Utilities Regulatory Authority shall investigate and  
2104 hold a public hearing on the question of granting its approval with  
2105 respect to any application made under subsection (b) or (c) of this  
2106 section and thereafter may approve or disapprove any such  
2107 application in whole or in part and upon such terms and conditions as  
2108 it deems necessary or appropriate. In connection with its investigation,  
2109 the authority may request the views of the gas, [electric,] electric  
2110 distribution, water, telephone or community antenna television  
2111 company or holding company which is the subject of the application  
2112 with respect to the proposed acquisition. After the filing of an  
2113 application satisfying the requirements of such regulations as the  
2114 authority may adopt in accordance with the provisions of chapter 54,  
2115 but not later than thirty business days after the filing of such  
2116 application, the authority shall give prompt notice of the public  
2117 hearing to the person required to file the application and to the subject  
2118 company or holding company. Such hearing shall be commenced as  
2119 promptly as practicable after the filing of the application, but not later  
2120 than thirty business days after the filing, and the authority shall make  
2121 its determination as soon as practicable, but not later than one hundred

2122 twenty days after the filing of the application unless the person  
2123 required to file the application agrees to an extension of time. The  
2124 authority may, in its discretion, grant the subject company or holding  
2125 company the opportunity to participate in the hearing by presenting  
2126 evidence and oral and written argument. If the authority fails to give  
2127 notice of its determination to hold a hearing, commence the hearing, or  
2128 render its determination after the hearing within the time limits  
2129 specified in this subdivision, the proposed acquisition shall be deemed  
2130 approved. In each proceeding on a written application submitted  
2131 under said subsection (b) or (c), the authority shall, in a manner which  
2132 treats all parties to the proceeding on an equal basis, take into  
2133 consideration (1) the financial, technological and managerial suitability  
2134 and responsibility of the applicant, (2) the ability of the gas, [electric,]  
2135 electric distribution, water, telephone or community antenna television  
2136 company or holding company which is the subject of the application to  
2137 provide safe, adequate and reliable service to the public through the  
2138 company's plant, equipment and manner of operation if the  
2139 application were to be approved, and (3) for an application concerning  
2140 a telephone company, the effect of approval on the location and  
2141 accessibility of management and operations and on the proportion and  
2142 number of state resident employees.

2143 (e) During any proceeding under subsection (b) or (c) of this section,  
2144 the authority may order any party to such proceeding and the officers,  
2145 directors, employees and agents of such party to refrain for a specific  
2146 time period from communicating, directly or indirectly, with the  
2147 record and beneficial owners of securities of the gas, [electric,] electric  
2148 distribution, water, telephone or community antenna television  
2149 company or holding company which is the subject of such  
2150 proceedings, in regard to the matters submitted to the authority for its  
2151 approval under said subsection (b) or (c). If the authority issues such  
2152 an order, it shall also order all other parties to the proceeding and the  
2153 officers, directors, employees and agents of such parties to refrain for  
2154 the same time period from communicating, directly or indirectly, with  
2155 such record and beneficial owners of such securities, in regard to such

2156 matters. No order issued pursuant to this subsection shall prohibit any  
2157 party from complying with disclosure and reporting obligations under  
2158 any other provision of the general statutes or under federal law.

2159 (f) Each holding company shall, not later than three months after the  
2160 close of its fiscal year, annually, file with the authority a copy of its  
2161 annual report to stockholders for such fiscal year. If the holding  
2162 company does not print such an annual report, it shall file instead, not  
2163 later than the same date, a comprehensive audit and report of its  
2164 accounts and operations prepared by an independent public  
2165 accounting firm approved by the authority. The provisions of this  
2166 subsection shall not apply to any holding company in the form of a  
2167 person.

2168 (g) Any action contrary to the provisions of subsections (b) or (c) of  
2169 this section shall be voidable on order of the authority.

2170 (h) Whenever any corporation, association, partnership, trust or  
2171 similar organization, or person takes or engages in any action which  
2172 may or would violate subsection (b) or (c) of this section or any order  
2173 adopted pursuant to said subsection (b) or (c), the Superior Court,  
2174 upon application of the authority or any holding company or gas,  
2175 [electric,] electric distribution, water, telephone or community antenna  
2176 television company affected by such action, may enjoin any such  
2177 corporation, association, partnership, trust or similar organization, or  
2178 person from continuing or doing any act in violation of said subsection  
2179 (b) or (c) or may otherwise enforce compliance with said subsection (b)  
2180 or (c), including but not limited to, the reinstatement of authority or  
2181 control over the holding company or gas, [electric,] electric  
2182 distribution, water, telephone or community antenna television  
2183 company or holding company to those persons who exercised  
2184 authority or control over such company before such action.

2185 (i) The provisions of this section shall not be construed to require  
2186 any person to make written application to or obtain the approval of the  
2187 authority with respect to any telephone company or holding company

2188 of a telephone company over which such person exercises authority or  
2189 control or operates as a holding company on June 30, 1987.

2190 Sec. 70. Subsection (f) of section 16-50i of the general statutes is  
2191 repealed and the following is substituted in lieu thereof (*Effective from*  
2192 *passage*):

2193 (f) "Emergency generating device" means an electric generating  
2194 device with a generating capacity of five megawatts or less, installed  
2195 primarily for the purpose of producing emergency backup electrical  
2196 power for not more than five hundred hours per year, and that (1)  
2197 does not have a substantial adverse environmental effect, as  
2198 determined by the council, or (2) is owned and operated by an entity  
2199 other than an [electric,] electric distribution or gas company, or (3) is  
2200 under construction or in operation prior to May 2, 1989; and

2201 Sec. 71. Subsection (b) of section 16-50l of the general statutes is  
2202 repealed and the following is substituted in lieu thereof (*Effective from*  
2203 *passage*):

2204 (b) Each application shall be accompanied by proof of service of a  
2205 copy of such application on: (1) Each municipality in which any  
2206 portion of such facility is to be located, both as primarily proposed and  
2207 in the alternative locations listed, and any adjoining municipality  
2208 having a boundary not more than two thousand five hundred feet  
2209 from such facility, which copy shall be served on the chief executive  
2210 officer of each such municipality and shall include notice of the date on  
2211 or about which the application is to be filed, and the zoning  
2212 commissions, planning commissions, planning and zoning  
2213 commissions, conservation commissions and inland wetlands agencies  
2214 of each such municipality, and the regional planning agencies which  
2215 encompass each such municipality; (2) the Attorney General; (3) each  
2216 member of the legislature in whose assembly or senate district the  
2217 facility or any alternative location listed in the application is to be  
2218 located; (4) any agency, department or instrumentality of the federal  
2219 government that has jurisdiction, whether concurrent with the state or

2220 otherwise, over any matter that would be affected by such facility; (5)  
2221 each state department, agency and commission named in subsection  
2222 (h) of section 16-50j, as amended by this act; and (6) such other state  
2223 and municipal bodies as the council may by regulation designate. A  
2224 notice of such application shall be given to the general public, in  
2225 municipalities entitled to receive notice under subdivision (1) of this  
2226 subsection, by the publication of a summary of such application and  
2227 the date on or about which it will be filed. Such notice shall be  
2228 published under the regulations to be promulgated by the council, in  
2229 such form and in such newspapers as will serve substantially to inform  
2230 the public of such application and to afford interested persons  
2231 sufficient time to prepare for and to be heard at the hearing prescribed  
2232 in section 16-50m. Such notice shall be published in not less than ten-  
2233 point type. A notice of such an application for a certificate for a facility  
2234 described in subdivision (3), (4), (5) or (6) of subsection (a) of section  
2235 16-50i shall also be sent, by certified or registered mail, to each person  
2236 appearing of record as an owner of property which abuts the proposed  
2237 primary or alternative sites on which the facility would be located.  
2238 Such notice shall be sent at the same time that notice of such  
2239 application is given to the general public. Notice of an application for a  
2240 certificate for a facility described in subdivision (1) of subsection (a) of  
2241 section 16-50i shall also be provided to each [electric company or]  
2242 electric distribution company customer in the municipality where the  
2243 facility is proposed to be placed. Such notice shall (A) be provided on a  
2244 separate enclosure with each customer's monthly bill for one or more  
2245 months, (B) be provided by the [electric company or] electric  
2246 distribution company not earlier than sixty days prior to filing the  
2247 application with the council, but not later than the date that the  
2248 application is filed with the council, and (C) include: A brief  
2249 description of the project, including its location relative to the affected  
2250 municipality and adjacent streets; a brief technical description of the  
2251 project including its proposed length, voltage, and type and range of  
2252 heights of support structures or underground configuration; the reason  
2253 for the project; the address and a toll-free telephone number of the  
2254 applicant by which additional information about the project can be

2255 obtained; and a statement in print no smaller than twenty-four-point  
2256 type size stating "NOTICE OF PROPOSED CONSTRUCTION OF A  
2257 HIGH VOLTAGE ELECTRIC TRANSMISSION LINE".

2258 Sec. 72. Section 16-232 of the general statutes is repealed and the  
2259 following is substituted in lieu thereof (*Effective from passage*):

2260 No electric [light or electric power] distribution company organized  
2261 under any former joint stock law of this state shall use or occupy any  
2262 highway or public grounds or be entitled to the powers or privileges  
2263 enumerated in this chapter, without special authority from the General  
2264 Assembly.

2265 Sec. 73. Subsection (a) of section 16-234 of the 2014 supplement to  
2266 the general statutes is repealed and the following is substituted in lieu  
2267 thereof (*Effective from passage*):

2268 (a) As used in this section:

2269 (1) "Utility" means a telephone, telecommunications [, electric] or  
2270 electric distribution company, each as defined in section 16-1, as  
2271 amended by this act;

2272 (2) "Utility protection zone" means any rectangular area extending  
2273 horizontally for a distance of eight feet from any outermost electrical  
2274 conductor or wire installed from pole to pole and vertically from the  
2275 ground to the sky;

2276 (3) "Hazardous tree" means any tree or part of a tree that is (A)  
2277 dead, (B) extensively decayed, or (C) structurally weak, which, if it  
2278 falls, would endanger utility infrastructure, facilities or equipment;

2279 (4) "Vegetation management" means pruning or removal of trees,  
2280 shrubs or other vegetation that pose a risk to the reliability of the  
2281 utility infrastructure, and the retention of trees and shrubs that are  
2282 compatible with the utility infrastructure. Until such time as the  
2283 Department of Energy and Environmental Protection issues standards

2284 for identifying such compatible trees and shrubs, the standards and  
2285 identification of such compatible trees and shrubs shall be as set forth  
2286 in the 2012 final report of the State Vegetation Management Task  
2287 Force; and

2288 (5) "Pruning" means the selective removal of plant parts to meet  
2289 specific goals and objectives, when performed according to current  
2290 professional tree care standards.

2291 Sec. 74. Subsection (f) of section 16-243a of the general statutes is  
2292 repealed and the following is substituted in lieu thereof (*Effective from*  
2293 *passage*):

2294 (f) If a private power producer believes that an electric distribution  
2295 company has violated any provision of this section it may submit a  
2296 written petition alleging such violation to the authority. Upon receipt  
2297 of the petition, the authority shall fix a time and place for a hearing  
2298 and mail notice of the hearing to the parties in interest at least one  
2299 week in advance. Upon the hearing, the authority may, if it finds the  
2300 company has violated any such provision, prescribe the manner in  
2301 which it shall comply.

2302 Sec. 75. Section 16-243c of the general statutes is repealed and the  
2303 following is substituted in lieu thereof (*Effective from passage*):

2304 The Public Utilities Regulatory Authority may issue orders  
2305 requiring electric distribution companies to provide, within their  
2306 service areas, electricity transmission and distribution services  
2307 between a generating facility operated by an electric cooperative under  
2308 subsection (b) of section 33-219 and those members of the cooperative  
2309 operating the facility to whom the cooperative is authorized to furnish  
2310 electricity under subsection (d) of section 33-221, as amended by this  
2311 act, and governing the rates for the service. The authority may not  
2312 issue any order under this subsection which would significantly  
2313 impair the ability of an electric distribution company to perform its  
2314 responsibilities to the public or would otherwise be contrary to the



2315 purposes of this title.

2316 Sec. 76. Section 16-243e of the 2014 supplement to the general  
2317 statutes is repealed and the following is substituted in lieu thereof  
2318 (*Effective from passage*):

2319 (a) Except as provided in subsection (b) of this section, any electric  
2320 distribution company, as defined in section 16-1, as amended by this  
2321 act, that, prior to July 6, 2007, purchased electricity generated by a  
2322 resources recovery facility, as defined in section 22a-260, owned by, or  
2323 operated by or for the benefit of, a municipality or municipalities,  
2324 pursuant to a contract with the owner of such facility requiring the  
2325 electric distribution company to purchase all of the electricity  
2326 generated at such facility from waste that originated in the franchise  
2327 area of the electric distribution company, for a period beginning on the  
2328 date that the facility began generating electricity and having a duration  
2329 of not less than twenty years, at the same rate that the electric  
2330 distribution company charges the municipality or municipalities for  
2331 electricity, shall pay the rate set forth in the contract or, for contracts  
2332 entered into and approved during calendar year 1999, the rate  
2333 established by the authority, for the remaining period of the contract.  
2334 No [electric company or] electric distribution company shall be  
2335 required to enter into such a contract on or after July 6, 2007.

2336 (b) Not later than October 1, 2000, and annually thereafter, the  
2337 authority shall calculate the difference between the amount paid by the  
2338 [successor] electric distribution company pursuant to each such  
2339 contract in effect during the preceding fiscal year for electricity  
2340 generated at the facility from waste that originated within such  
2341 franchise area and the amount that would have been paid had the  
2342 company been obligated to pay the rate in effect during calendar year  
2343 1999, as determined by the authority. The difference, if positive, shall  
2344 be recovered through the systems benefits charge established under  
2345 section 16-245/, as amended by this act, and remitted to the regional  
2346 resource recovery authority acting on behalf of member municipalities.

2347 Sec. 77. Section 16-243g of the general statutes is repealed and the  
2348 following is substituted in lieu thereof (*Effective from passage*):

2349 Notwithstanding any provision of the general statutes or of any  
2350 special act to the contrary, no electric distribution company, as defined  
2351 in section 16-1, as amended by this act, municipal electric energy  
2352 cooperative established under chapter 101a or municipal electric utility  
2353 established under chapter 101 which has entered into a contract to  
2354 purchase electricity from a private power producer, as defined in  
2355 section 16-243b, shall refuse or neglect to execute an assignment of an  
2356 electricity purchase agreement or contract to a trustee as security for or  
2357 protection of bonds issued to refinance outstanding bonds originally  
2358 issued or reissued to finance the major portion of the costs of the  
2359 acquisition, construction and installation of a private power  
2360 production facility, as defined in section 16-243b.

2361 Sec. 78. Section 16-243z of the 2014 supplement to the general  
2362 statutes is repealed and the following is substituted in lieu thereof  
2363 (*Effective from passage*):

2364 (a) For purposes of this section, "regional planning agency" and  
2365 "regional council of elected officials" have the same meanings as  
2366 provided in section 4-124i, "regional council of governments" has the  
2367 same meaning as "council" in section 4-124i and ["electric company"  
2368 and] "electric distribution company" [have] has the same [meanings]  
2369 meaning as provided in section 16-1, as amended by this act.

2370 (b) Upon the request of the geographic information systems or  
2371 geospatial information systems analyst or coordinator, or any  
2372 equivalent official, of any municipality or of any regional planning  
2373 agency, regional council of elected officials or regional council of  
2374 governments, an [electric company or] electric distribution company  
2375 shall provide to such analyst, coordinator or official any geographic  
2376 information systems or geospatial information systems data for such  
2377 [electric or] electric distribution company's service area identifying  
2378 utility pole data for poles owned or jointly owned by such company in

2379 such municipality or the area served by such regional planning  
2380 agency, regional council of elected officials or regional council of  
2381 governments. Such data shall include pole ownership, identification  
2382 number, XY coordinate location, pole height, pole classification and  
2383 wattage size of street lights or post lights.

2384 (c) Upon the request of a municipality for public safety reasons  
2385 during an emergency, an [electric company or] electric distribution  
2386 company may provide to such municipality the location of electric  
2387 service accounts that are coded by such company as medical hardship  
2388 accounts within such municipality.

2389 (d) Prior to receipt of data from an [electric company or] electric  
2390 distribution company under this section, a municipality, regional  
2391 planning agency, regional council of elected officials or regional  
2392 council of governments shall demonstrate to such company that it has  
2393 implemented appropriate procedures to protect the confidentiality of  
2394 the information. Any data provided by such company to a  
2395 municipality, regional planning agency, regional council of elected  
2396 officials or regional council of governments pursuant to this section  
2397 shall be used by such entity for internal use only, and shall not be  
2398 publicly disclosed by the municipality, regional planning agency,  
2399 regional council of elected officials or regional council of governments  
2400 or be subject to any public disclosure requirement without the prior  
2401 consent of the [electric company or] electric distribution company, as  
2402 applicable, and shall be exempt from disclosure under the Freedom of  
2403 Information Act, as defined in section 1-200.

2404 Sec. 79. Section 16-243z of the 2014 supplement to the general  
2405 statutes, as amended by section 292 of public act 13-247, is repealed  
2406 and the following is substituted in lieu thereof (*Effective January 1,*  
2407 *2015*):

2408 (a) For purposes of this section, "regional council of governments"  
2409 has the same meaning as "council" in section 4-124i, and ["electric  
2410 company" and] "electric distribution company" [have] has the same

2411 [meanings] meaning as provided in section 16-1, as amended by this  
2412 act.

2413 (b) Upon the request of the geographic information systems or  
2414 geospatial information systems analyst or coordinator, or any  
2415 equivalent official, of any municipality or regional council of  
2416 governments, an [electric company or] electric distribution company  
2417 shall provide to such analyst, coordinator or official any geographic  
2418 information systems or geospatial information systems data for such  
2419 electric or electric distribution company's service area identifying  
2420 utility pole data for poles owned or jointly owned by such company in  
2421 such municipality or the area served by such regional council of  
2422 governments. Such data shall include pole ownership, identification  
2423 number, XY coordinate location, pole height, pole classification and  
2424 wattage size of street lights or post lights.

2425 (c) Upon the request of a municipality for public safety reasons  
2426 during an emergency, an [electric company or] electric distribution  
2427 company may provide to such municipality the location of electric  
2428 service accounts that are coded by such company as medical hardship  
2429 accounts within such municipality.

2430 (d) Prior to receipt of data from an [electric company or] electric  
2431 distribution company under this section, a municipality or regional  
2432 council of governments shall demonstrate to such company that it has  
2433 implemented appropriate procedures to protect the confidentiality of  
2434 the information. Any data provided by such company to a  
2435 municipality or regional council of governments pursuant to this  
2436 section shall be used by such entity for internal use only, and shall not  
2437 be publicly disclosed by the municipality or regional council of  
2438 governments or be subject to any public disclosure requirement  
2439 without the prior consent of the [electric company or] electric  
2440 distribution company [, as applicable,] and shall be exempt from  
2441 disclosure under the Freedom of Information Act, as defined in section  
2442 1-200.

2443 Sec. 80. Section 16-243aa of the 2014 supplement to the general  
2444 statutes is repealed and the following is substituted in lieu thereof  
2445 (*Effective from passage*):

2446 The Public Utilities Regulatory Authority shall authorize any  
2447 municipality or state or federal governmental entity that owns,  
2448 operates or leases any Class I renewable energy source, as defined in  
2449 section 16-1, as amended by this act, Class III source, as defined in  
2450 section 16-1, as amended by this act, or generation source under five  
2451 megawatts, to independently distribute electricity generated from any  
2452 such source across a public highway or street, provided (1) any such  
2453 source is connected to a municipal microgrid, as defined in subdivision  
2454 (5) of subsection (a) of section 16-243y, and (2) to ensure the reliability  
2455 and availability of the microgrid delivery system and the safety of the  
2456 public, such municipality or state or federal governmental entity shall  
2457 engage the applicable electric distribution company, as defined in  
2458 section 16-1, as amended by this act, to complete the interconnection of  
2459 such microgrid to the electric grid in accordance with the authority's  
2460 interconnection standards. For purposes of this section, any such  
2461 municipality or governmental entity shall not be considered an electric  
2462 distribution company, as defined in section 16-1, as amended by this  
2463 act.

2464 Sec. 81. Section 16-244e of the 2014 supplement to the general  
2465 statutes is repealed and the following is substituted in lieu thereof  
2466 (*Effective from passage*):

2467 [(a) (1) Not later than October 1, 1998, each electric company shall  
2468 submit an unbundling plan to the authority to unbundle and separate,  
2469 by October 1, 1999, all the company's generation assets that (A) prior to  
2470 the date when the authority approves a divestiture plan pursuant to  
2471 section 16-244f or 16-244g, are not sold in accordance with section 16-  
2472 43, and (B) on and after the date when the authority approves such  
2473 plan, will not be divested as of January 1, 2000, in accordance with  
2474 sections 16-244f and 16-244g.

2475 (2) For any nonnuclear generation asset that will not be divested by  
2476 January 1, 2000, unbundling and separation shall occur by transfer on  
2477 a functional basis to one or more corporate affiliates that are legally  
2478 separate from the company's transmission and distribution assets and  
2479 all related operations and functions, in which case, no stranded costs  
2480 shall be recovered.

2481 (3) For any nuclear generation asset that will not be sold by January  
2482 1, 2000, unbundling and separation shall occur by (A) divestiture  
2483 pursuant to section 16-244g, (B) transfer on a functional basis to one or  
2484 more corporate affiliates that are legally separate from the company's  
2485 transmission and distribution assets and all related operations and  
2486 functions, or (C) if required to comply with rules, regulations or  
2487 licensing requirements of the United States Nuclear Regulatory  
2488 Commission, transfer on a functional basis to one or more divisions  
2489 that are structurally separate from the electric distribution company.

2490 (4) The unbundling plan and order shall provide for the allocation  
2491 of the rights and responsibilities pursuant to sections 16-245e to 16-  
2492 245k, inclusive, between the electric distribution company and any  
2493 generation entities or affiliates and shall provide for the allocation of  
2494 revenue under a special contract among those components of a  
2495 customer's bill specified in subdivision (1) of subsection (a) of section  
2496 16-245d. Such plan shall include a proposed modification or  
2497 elimination to the adjustment pursuant to section 16-19b. Such plan  
2498 shall not allow the transfer of assets or liabilities allocable or belonging  
2499 to transmission or distribution functions or facilities to the generation  
2500 entity or affiliate of an electric company, nor allow the transfer of  
2501 assets or liabilities, other than financial assets or liabilities to be funded  
2502 by the competitive transition assessment pursuant to section 16-245g  
2503 or the systems benefits charge pursuant to section 16-245l, allocable or  
2504 belonging to generation functions or facilities to the electric  
2505 distribution company, as defined in section 16-1, unless federal law or  
2506 regulation requires such a transfer with regard to nuclear generation  
2507 assets. All entitlements and obligations from any purchased power

2508 contract or independent power producer contract entered into before  
2509 July 1, 1998, by the predecessor electric company which are not bought  
2510 out shall succeed to the electric distribution company. Such plan shall  
2511 include a discussion of the impacts of the proposed plan on the  
2512 company's employees and plans for mitigating such impact.

2513 (5) The authority shall hold a hearing and issue a final order  
2514 approving or modifying the plan in a time frame that will allow  
2515 unbundling to be accomplished by October 1, 1999. Any hearing shall  
2516 be conducted as a contested case in accordance with chapter 54. Such  
2517 plan shall be submitted and such order issued consistent with the  
2518 determination and implementation of the competitive transition  
2519 assessment, as provided in section 16-245g.

2520 (6) Once unbundling is completed to the satisfaction of the authority  
2521 and consistent with the provisions of section 16-244, (A) any corporate  
2522 affiliate or separate division that provides electric generation services  
2523 as a result of unbundling pursuant to this subsection shall be  
2524 considered a generation entity or affiliate of the electric company, and  
2525 the division or corporate affiliate of the electric company that provides  
2526 transmission and distribution services shall be considered an electric  
2527 distribution company, and (B) an] (a) An electric distribution company  
2528 shall not own or operate generation assets, except as provided in this  
2529 section and sections 16-43d, as amended by this act, 16-243m, as  
2530 amended by this act, 16-243u, 16a-3b and 16a-3c.

2531 (b) [Not later than August 1, 1998, the Public Utilities Regulatory  
2532 Authority shall hold a hearing and issue a final order that unbundles  
2533 prices or rates for electric generation services for each electric company  
2534 from all other charges. Any hearing shall be conducted as a contested  
2535 case in accordance with chapter 54. On and after July 1, 1999, each  
2536 electric company or] Each electric distribution company [, as the case  
2537 may be,] shall provide all customers with a bill that separates the  
2538 electric generation services component of those charges.

2539 Sec. 82. Subsection (a) of section 16-244g of the general statutes is

2540 repealed and the following is substituted in lieu thereof (*Effective from*  
2541 *passage*):

2542 (a) As used in this section, "generation assets" means ["generation  
2543 assets", as defined in section 16-244f] electric generation facilities and  
2544 generation-related operations and functions owned by an electric  
2545 distribution company and includes associated contractual obligations  
2546 for energy or capacity from such generation assets, and "net proceeds"  
2547 means ["net proceeds", as defined in section 16-244f] the book income  
2548 from the sale or divestiture of assets, consisting of sales price less  
2549 reasonable expenses of sale, related income and other taxes.

2550 Sec. 83. Subsection (b) of section 16-244h of the general statutes is  
2551 repealed and the following is substituted in lieu thereof (*Effective from*  
2552 *passage*):

2553 (b) The code of conduct shall include: (1) Measures to ensure  
2554 information, revenues, expenses, costs, assets, liabilities or other  
2555 resources derived from or associated with providing electric  
2556 transmission or distribution services by an electric distribution  
2557 company are not used to subsidize any generation entity or affiliate; (2)  
2558 safeguards to assure fair dealing between electric distribution  
2559 companies and all other electric suppliers, as defined in section 16-1, as  
2560 amended by this act, including any generation entities or affiliates of  
2561 the electric distribution company; (3) procedures for ensuring electric  
2562 suppliers nondiscriminatory access to the transmission and  
2563 distribution facilities of the electric distribution company; and (4)  
2564 measures to ensure that an electric distribution company provides  
2565 transmission and distribution service, applies tariffs to generation  
2566 entities or affiliates and to unaffiliated electric suppliers in a  
2567 nondiscriminatory manner and enforces such tariff provisions. The  
2568 code of conduct shall, at a minimum, (A) prohibit any employee of a  
2569 generation entity or affiliate from conducting distribution system  
2570 operations or having access to system control centers or similar  
2571 facilities used by distribution operations in any way that differs from  
2572 the access available to employees of unaffiliated electric suppliers, (B)



2573 prohibit an employee of a generation entity or affiliate from having  
2574 preferential access to any information concerning the electric  
2575 distribution company's customers or distribution system that is not  
2576 available on an equivalent basis to unaffiliated electric suppliers, (C)  
2577 prohibit an employee of an electric distribution company from  
2578 disclosing to an employee of a generation entity or affiliate information  
2579 concerning its customers, the distribution system or other market  
2580 information through nonpublic communications that is not available  
2581 on an equivalent basis to all unaffiliated electric suppliers, (D) require  
2582 employees of electric distribution companies to apply all tariff  
2583 provisions relating to the sale or purchase of any retail access  
2584 distribution service in a fair, impartial and nondiscriminatory manner,  
2585 and (E) prohibit joint marketing activities between an electric  
2586 distribution company and its generation entity or affiliate. The code of  
2587 conduct shall not prohibit communications necessary for standard  
2588 offer service pursuant to section 16-244c, as amended by this act, or  
2589 when necessary to restore service or to prevent or respond to  
2590 emergency conditions. Each electric distribution company shall  
2591 annually submit to the authority such information as the authority  
2592 may require in order to evaluate the actual effectiveness of the code of  
2593 conduct in fulfilling the purposes of this section. The authority shall  
2594 consult with the independent system operator on a regular basis  
2595 regarding issues raised under this section. The authority may, upon its  
2596 own motion or upon receipt of a complaint from any person alleging a  
2597 violation of the code of conduct, investigate an electric distribution  
2598 company's compliance with the code of conduct, and any such  
2599 investigation shall be considered a contested case as defined in section  
2600 4-166. The authority may enter into appropriate orders to enforce the  
2601 code, including cease and desist orders, and it may levy civil penalties  
2602 against these entities subject to the code after notice and hearing  
2603 pursuant to section 16-41. Any person aggrieved by a violation of the  
2604 code of conduct shall also have a private right of action for damages  
2605 against the electric distribution company or generation entity or  
2606 affiliate, as the case may be.

2607 Sec. 84. Section 16-245e of the 2014 supplement to the general  
2608 statutes is repealed and the following is substituted in lieu thereof  
2609 (*Effective from passage*):

2610 (a) As used in this section, sections 16-245f to 16-245k, inclusive, as  
2611 amended by this act, and section 16-245m, as amended by this act:

2612 (1) "Rate reduction bonds" means bonds, notes, certificates of  
2613 participation or beneficial interest, or other evidences of indebtedness  
2614 or ownership, issued pursuant to an executed indenture or other  
2615 agreement of a financing entity, in accordance with this section and  
2616 sections 16-245f to 16-245k, inclusive, as amended by this act, the  
2617 proceeds of which are used, directly or indirectly, to provide, recover,  
2618 finance, or refinance stranded costs or economic recovery transfer, or  
2619 to sustain funding of conservation and load management and  
2620 renewable energy investment programs by substituting for  
2621 disbursements to the General Fund from the Energy Conservation and  
2622 Load Management Fund established by section 16-245m and from the  
2623 Clean Energy Fund established by section 16-245n, and which, directly  
2624 or indirectly, are secured by, evidence ownership interests in, or are  
2625 payable from, transition property;

2626 (2) "Competitive transition assessment" means those [non-  
2627 bypassable] nonbypassable rates and other charges, that are  
2628 authorized by the authority (A) in a financing order in respect to the  
2629 economic recovery transfer, or in a financing order, to sustain funding  
2630 of conservation and load management and renewable energy  
2631 investment programs by substituting disbursements to the General  
2632 Fund from proceeds of rate reduction bonds for such disbursements  
2633 from the Energy Conservation and Load Management Fund  
2634 established by section 16-245m and from the Clean Energy Fund  
2635 established by section 16-245n, or to recover those stranded costs that  
2636 are eligible to be funded with the proceeds of rate reduction bonds  
2637 pursuant to section 16-245f, as amended by this act, and the costs of  
2638 providing, recovering, financing, or refinancing the economic recovery  
2639 transfer or such substitution of disbursements to the General Fund or

2640 such stranded costs through a plan approved by the authority in the  
2641 financing order, including the costs of issuing, servicing, and retiring  
2642 rate reduction bonds, (B) to recover those stranded costs determined  
2643 under this section but not eligible to be funded with the proceeds of  
2644 rate reduction bonds pursuant to section 16-245f, as amended by this  
2645 act, or (C) to recover costs determined under subdivision (1) of  
2646 subsection (e) of section 16-244g. If requested by the [electric company  
2647 or] electric distribution company, the authority shall include in the  
2648 competitive transition assessment [non-bypassable] nonbypassable  
2649 rates and other charges to recover federal and state taxes whose  
2650 recovery period is modified by the transactions contemplated in this  
2651 section and sections 16-245f to 16-245k, inclusive, as amended by this  
2652 act;

2653 (3) "Customer" means any individual, business, firm, corporation,  
2654 association, tax-exempt organization, joint stock association, trust,  
2655 partnership, limited liability company, the United States or its  
2656 agencies, this state, any political subdivision thereof or state agency  
2657 that purchases electric generation or distribution services as a retail  
2658 end user in the state from any electric supplier [, electric company] or  
2659 electric distribution company;

2660 (4) "Finance authority" means the state, acting through the office of  
2661 the State Treasurer;

2662 (5) "Net proceeds" means ["net proceeds" as defined in section 16-  
2663 244f] the book income from the sale or divestiture of assets, consisting  
2664 of sales price less reasonable expenses of sale, related income and  
2665 other;

2666 (6) "Stranded costs" means that portion of generation assets,  
2667 generation-related regulatory assets or long-term contract costs  
2668 determined by the authority in accordance with the provisions of  
2669 subsections (e), (f), (g) and (h) of this section;

2670 (7) "Generation assets" means the total construction and other

capital asset costs of generation facilities approved for inclusion in rates before July 1, 1997, but does not include any costs relating to the decommissioning of any such facility or any costs which the authority found during a proceeding initiated before July 1, 1998, were incurred because of imprudent management;

(8) "Generation-related regulatory assets" means generation-related costs authorized or mandated before July 1, 1998, by the Public Utilities Regulatory Authority, approved for inclusion in the rates, and include, but are not limited to, costs incurred for deferred taxes, conservation programs, environmental protection programs, public policy costs and research and development costs, net of any applicable credits payable to customers, but does not include any costs which the authority found during a proceeding initiated before July 1, 1998, were incurred because of imprudent management;

(9) "Long-term contract costs" mean the above-market portion of the costs of contractual obligations approved for inclusion in the rates that were entered into before January 1, 2000, arising from independent power producer contracts required by law or purchased power contracts approved by the Federal Energy Regulatory Commission;

[(10) "Authority" means the Public Utilities Regulatory Authority;]

[(11)] (10) "Financing entity" means the finance authority or any special purpose trust or other entity that is authorized by the finance authority to issue rate reduction bonds or acquire transition property pursuant to such terms and conditions as the finance authority may specify, or both;

[(12)] (11) "Financing order" means an order of the authority adopted in accordance with this section and sections 16-245f to 16-245k, inclusive, as amended by this act;

[(13)] (12) "Transition property" means the property right created pursuant to this section and sections 16-245f to 16-245k, inclusive, as amended by this act, in respect to the economic recovery transfer or in

2702 respect of disbursements to the General Fund to sustain funding of  
2703 conservation and load management and renewable energy investment  
2704 programs or those stranded costs that are eligible to be funded with  
2705 the proceeds of rate reduction bonds pursuant to section 16-245f, as  
2706 amended by this act, including, without limitation, the right, title, and  
2707 interest of an [electric company or] electric distribution company or its  
2708 transferee or the financing entity (A) in and to the rates and charges  
2709 established pursuant to a financing order, as adjusted from time to  
2710 time in accordance with subdivision (2) of subsection (b) of section 16-  
2711 245i, as amended by this act, and the financing order, (B) to be paid the  
2712 amount that is determined in a financing order to be the amount that  
2713 the [electric company or] electric distribution company or its transferee  
2714 or the financing entity is lawfully entitled to receive pursuant to the  
2715 provisions of this section and sections 16-245f to 16-245k, inclusive, as  
2716 amended by this act, and the proceeds thereof, and in and to all  
2717 revenues, collections, claims, payments, money, or proceeds of or  
2718 arising from the rates and charges or constituting the competitive  
2719 transition assessment that is the subject of a financing order including  
2720 those non-bypassable rates and other charges referred to in  
2721 subdivision (2) of this subsection, and (C) in and to all rights to obtain  
2722 adjustments to the rates and charges pursuant to the terms of  
2723 subdivision (2) of subsection (b) of section 16-245i, as amended by this  
2724 act, and the financing order. "Transition property" shall constitute a  
2725 current property right notwithstanding the fact that the value of the  
2726 property right will depend on consumers using electricity or, in those  
2727 instances where consumers are customers of a particular [electric  
2728 company or] electric distribution company, the [electric company or]  
2729 electric distribution company performing certain services;

2730 [(14)] (13) "State rate reduction bonds" means the rate reduction  
2731 bonds issued on June 23, 2004, by the state to sustain funding of  
2732 conservation and load management and renewable energy investment  
2733 programs by substituting for disbursements to the General Fund from  
2734 the Energy Conservation and Load Management Fund, established by  
2735 section 16-245m, and from the Clean Energy Fund, established by

2736 section 16-245n. The state rate reduction bonds for the purposes of  
2737 section 4-30a shall be deemed to be outstanding indebtedness of the  
2738 state;

2739 [(15)] (14) "Operating expenses" means, with respect to state rate  
2740 reduction bonds or economic recovery revenue bonds, (A) all  
2741 expenses, costs and liabilities of the state or the trustee incurred in  
2742 connection with the administration or payment of the state rate  
2743 reduction bonds or economic recovery revenue bonds, or in discharge  
2744 of its obligations and duties under the state rate reduction bonds or  
2745 economic recovery revenue bonds, or bond documents, expenses and  
2746 other costs and expenses arising in connection with the state rate  
2747 reduction bonds or economic recovery revenue bonds, or pursuant to  
2748 the financing order providing for the issuance of such bonds including  
2749 any arbitrage rebate and penalties payable under the code in  
2750 connection with such bonds, and (B) all fees and expenses payable or  
2751 disburseable to the servicers or others under the bond documents;

2752 [(16)] (15) "Bond documents" means, with respect to state rate  
2753 reduction bonds or economic recovery revenue bonds, the following  
2754 documents: The servicing agreements, the tax compliance agreement  
2755 and certificate, and the continuing disclosure agreement and indenture  
2756 entered into in connection with the state rate reduction bonds or the  
2757 economic recovery revenue bonds;

2758 [(17)] (16) "Indenture" means the indenture executed in connection  
2759 with the state rate reduction bonds or the economic recovery revenue  
2760 bonds, or, with respect to state rate reduction bonds, the RRB  
2761 Indenture, dated as of June 23, 2004, by and between the state and the  
2762 trustee, as amended from time to time;

2763 [(18)] (17) "Trustee" means, with respect to state rate reduction  
2764 bonds, the trustee appointed under the indenture;

2765 [(19)] (18) "Economic recovery transfer" means the disbursement to  
2766 the General Fund of nine hundred fifty-six million dollars from

2767 proceeds of the issuance of the economic recovery revenue bonds; and

2768 [(20)] (19) "Economic recovery revenue bonds" means rate reduction  
2769 bonds issued to fund the economic recovery transfer, the costs of  
2770 issuance, credit enhancements, operating expenses and such other  
2771 costs as the finance authority deems necessary or advisable, and which  
2772 shall be payable from competitive transition assessment charges that  
2773 replace the competitive transition assessment charges funding  
2774 stranded costs.

2775 (b) The authority shall, in accordance with the provisions of this  
2776 section, identify and calculate, upon application by an electric  
2777 distribution company, those stranded costs that may be collected  
2778 through the competitive transition assessment which shall be  
2779 calculated and collected in accordance with the provisions of section  
2780 16-245g, as amended by this act. No electric distribution company shall  
2781 be eligible to claim stranded costs unless a public auction has been  
2782 held to divest itself of all nonnuclear generation assets [in accordance  
2783 with subsection (b) of section 16-244f] or the electric distribution  
2784 company has sold its nonnuclear generation assets in accordance with  
2785 section 16-43.

2786 (c) (1) Notwithstanding subdivision (1) of subsection (e) of section  
2787 16-244g, any electric distribution company seeking to claim stranded  
2788 costs shall, in accordance with this subsection, mitigate such costs to  
2789 the fullest extent possible. Prior to the approval by the authority of any  
2790 stranded costs, the electric distribution company shall show to the  
2791 satisfaction of the authority that the electric distribution company has  
2792 taken all reasonable steps to mitigate to the maximum extent possible  
2793 the total amount of stranded costs that it seeks to claim and to  
2794 minimize the cost to be recovered from customers. Mitigation shall  
2795 include: (A) Except to the extent provided in collective bargaining  
2796 agreements or agreements to purchase generation assets entered into  
2797 prior to July 1, 1998, the obtaining of written commitments from  
2798 purchasers of generation facilities divested pursuant to [sections 16-  
2799 244f and] section 16-244g, as amended by this act, that the purchasers

2800 will offer employment to persons who were employed in  
2801 nonmanagerial positions by a divested generation facility at any time  
2802 during the three-month period prior to the divestiture, at levels of  
2803 wages and overall compensation not lower than the employees' lowest  
2804 level during the six-month period prior to the date the contract to  
2805 divest the asset was entered into; (B) good faith efforts to negotiate the  
2806 buyout, buydown or renegotiation of independent power producer  
2807 contracts and purchased power contracts approved by the Federal  
2808 Energy Regulatory Commission, provided the fixed present value of  
2809 any contract to which a political subdivision of the state is a party shall  
2810 be calculated using the political subdivision's tax-exempt borrowing  
2811 rate as the discount rate; and (C) the reasonable costs of the consultants  
2812 appointed to conduct the auctions of generation assets pursuant to  
2813 [sections 16-244f and] section 16-244g, as amended by this act.  
2814 Mitigation may include, but is not limited to, reallocation of  
2815 depreciation reserves to existing generation assets to the extent  
2816 consistent with generally accepted accounting principles; reduction of  
2817 book assets by application of net proceeds of any sale of existing assets;  
2818 maximization of market revenues from existing generation assets;  
2819 efforts to maximize current and future operating efficiency, including  
2820 appropriate and timely maintenance, trouble shooting, aggressive  
2821 identification and correction of potential problem areas; voluntary  
2822 write-offs of above-market generation assets; the decision to retire  
2823 uneconomical generation assets and efforts to divest generating sites at  
2824 market prices reflective of best use of sites. Mitigation shall not include  
2825 any expenditures to restart a nuclear generation asset that was not  
2826 operating for reasons other than scheduled maintenance or refueling at  
2827 the time such expenditure was made. Any mitigation efforts and  
2828 associated costs shall be subject to approval by the authority.

2829 (2) The authority shall allow the cost of such mitigation efforts to be  
2830 included in the calculation of stranded costs to the extent that such  
2831 mitigation costs are reasonable relative to the amount of the reduction  
2832 in stranded costs resulting from the mitigation.



2833 (d) An electric distribution company shall submit to the authority an  
2834 application for recovery of that portion of generation-related  
2835 regulatory assets, long-term contract costs, generation assets and  
2836 mitigation costs which are determined by the authority in accordance  
2837 with subsections (c), (e), (f) and (g) of this section and subdivision (1)  
2838 of subsection (e) of section 16-244g. The application shall include a  
2839 description of mitigation efforts and a request for recovery through the  
2840 competitive transition assessment and may include a request for a  
2841 financing order. The authority shall hold a hearing for each electric  
2842 distribution company and issue a finding of the calculation of stranded  
2843 costs in a time frame that allows for collection of the competitive  
2844 transition assessment to begin on January 1, 2000. Any hearing shall be  
2845 conducted as a contested case in accordance with chapter 54.

2846 (e) The authority shall calculate the stranded costs for generation-  
2847 related regulatory assets to be their book value as of January 1, 2000. In  
2848 calculating the value of generation-related regulatory assets that are  
2849 being provided in a lump sum as the result of a funding with the  
2850 proceeds of rate reduction bonds, the authority shall adjust the value  
2851 of each such asset to reflect the time value of such lump sum, if any.

2852 (f) (1) The authority shall calculate the stranded costs for long-term  
2853 contract costs that have been reduced to a fixed present value through  
2854 the buyout, buydown, or renegotiation of independent power  
2855 producer contracts and purchased power contracts approved by the  
2856 Federal Energy Regulatory Commission as such present value. In  
2857 making such calculation, the authority shall net purchased power  
2858 contracts approved by the Federal Energy Regulatory Commission  
2859 that are below market value against any such contracts that are above-  
2860 market value.

2861 (2) The authority shall calculate the stranded costs for any portion of  
2862 a long-term contract cost that has not been reduced to a fixed present  
2863 value by comparing the contract price to the market price at least  
2864 annually. In making such calculation, the authority shall net purchased  
2865 power contracts approved by the Federal Energy Regulatory

Commission that are below market value against any such contracts that are above-market value. The costs described in this subdivision shall be included in the competitive transition assessment pursuant to section 16-245g, as amended by this act, but shall not be included in any funding with the proceeds of rate reduction bonds.

(g) The authority shall calculate the stranded cost for each generation asset [described in subdivision (7) of subsection (b) of section 16-244f] to be the difference between its book value and the market value of a prudently and efficiently managed nonnuclear generating facility of comparable size, age and technical characteristics in a competitive market. In determining the market value of any such asset, the authority may consider (A) the dollars per kilowatt received from the sale of similar generation facilities, if any, (B) income capitalization based on the operating history and capacity of the facility, the market rates for power, and any existing long-term contracts for the sale of power or capacity, (C) independent market appraisals, or (D) other relevant factors. The authority shall calculate the stranded costs for generation assets [described in subdivision (7) of subsection (b) of section 16-244f] at least every three years. The costs described in this subsection shall be included in the competitive transition assessment pursuant to section 16-245g, as amended by this act, but shall not be included in any funding with the proceeds of rate reduction bonds.

(h) (1) On or before January 1, 2004, an electric distribution company may submit to the authority an application for recovery of that portion of nuclear generation assets which is determined by the authority in accordance with this subsection, which application shall include a request for recovery through the competitive transition assessment. The authority shall hold a hearing for each electric distribution company and issue a finding of the calculation of such nuclear generation assets in accordance with the provisions of this subsection. Any hearing shall be conducted as a contested case proceeding in accordance with chapter 54. The costs described in this

2899 subsection shall be included in the competitive transition assessment  
2900 pursuant to section 16-245g, as amended by this act, but shall not be  
2901 included in any funding with proceeds of rate reduction bonds.

2902 (2) The authority shall calculate the stranded costs for each nuclear  
2903 generation asset that was divested at a price less than book value as  
2904 described in subdivision (5) of subsection (c) of section 16-244g as the  
2905 difference between the book value of this asset and the final bid price  
2906 of the asset. The authority's calculation of stranded costs pursuant to  
2907 this subdivision shall be final and shall not be subject to further  
2908 adjustment by the authority.

2909 (3) The authority shall calculate the stranded costs for each  
2910 nondivested nuclear generation asset described in subdivision (1) of  
2911 subsection (d) of section 16-244g to be the difference between its book  
2912 value and the market value of a prudently and efficiently managed  
2913 nuclear generating facility of comparable size, age and technical  
2914 characteristics in a competitive market. In determining the market  
2915 value of any such asset, the authority may consider (A) the dollars per  
2916 kilowatt received from the sale of similar generation facilities, if any,  
2917 (B) income capitalization based on the operating history and capacity  
2918 of the facility, the market rates for power, and any existing long-term  
2919 contracts for the sale of power or capacity, (C) the provision for  
2920 decommissioning and related costs to be paid from the systems  
2921 benefits charge provided in section 16-245l, as amended by this act, (D)  
2922 independent market appraisals, or (E) other relevant factors. At least  
2923 every four years after the date when the authority issues an initial  
2924 finding of the calculation of the stranded costs for such nondivested  
2925 nuclear generation assets as provided in this subdivision until the  
2926 earlier of (i) the expiration of the collection of the competitive  
2927 transition assessment, or (ii) the date when such an asset is divested,  
2928 the authority shall hold a hearing and issue a finding to adjust the  
2929 stranded cost calculation of each such asset and to adjust the  
2930 competitive transition assessment accordingly to true up the stranded  
2931 cost recovery for the difference between the market value projected in

2932 such initial finding and the actual market value of a prudently and  
2933 efficiently managed nuclear generating facility of comparable size, age  
2934 and technical characteristics during the time period between the initial  
2935 finding and the adjustment date, provided the second and subsequent  
2936 adjustments shall reflect the difference during the time period since the  
2937 most recent true-up. The authority shall calculate the value of each  
2938 such asset in accordance with the methodology provided in this  
2939 subdivision. Any hearing shall be conducted as a contested case in  
2940 accordance with chapter 54.

2941 (4) After the authority has calculated the total value of stranded  
2942 costs for all nuclear generation assets, the authority shall (A) reduce  
2943 such amount by the net proceeds that are above book value realized by  
2944 an electric distribution company from the sale of nonnuclear  
2945 generation assets, [pursuant to subdivision (6) of subsection (b) of  
2946 section 16-244f,] (B) reduce such valuation to reflect the total net  
2947 proceeds that are above book value realized by an electric distribution  
2948 company from the sale of any nuclear generation assets pursuant to  
2949 subsection (c) of section 16-244g, and (C) reduce such amount by the  
2950 net proceeds that are above book value received by an electric  
2951 distribution company for the sale or lease of any real property after  
2952 July 1, 1998.

2953 (i) If any net proceeds described in subdivision (4) of subsection (h)  
2954 of this section remain after the reduction in the calculation of nuclear  
2955 generation assets pursuant to said subdivision (4) or are realized after  
2956 said reduction is calculated, the additional amount of such net  
2957 proceeds shall be netted against long-term contract costs described in  
2958 subdivision (2) of subsection (f) of this section, and the competitive  
2959 transition assessment shall be adjusted accordingly.

2960 (j) [(1)] No electric distribution company shall be eligible to claim  
2961 any stranded costs for a nuclear generation asset or for any generation-  
2962 related regulatory asset related to such generation asset, if the  
2963 generation asset is not operating as a result of an order issued by the  
2964 United States Nuclear Regulatory Commission that applies specifically

2965 to such asset. Any such asset that is not eligible to be claimed as a  
2966 stranded cost shall be eligible after it is permitted to and has resumed  
2967 operation and is selling power.

2968 [(2) Any asset with a Nuclear Regulatory Commission capacity  
2969 rating of 641 megawatts that does not resume operation after such  
2970 order is no longer in effect shall not be eligible to be claimed as a  
2971 stranded cost. An electric company or electric distribution company  
2972 may apply to the authority for retirement of such unit for economic  
2973 reasons pursuant to section 16-19. The authority shall include any  
2974 recovery ordered in such proceeding in the competitive transition  
2975 assessment but shall not include any costs relating to the  
2976 decommissioning of any such facility or any costs which the authority  
2977 found during a proceeding initiated before July 1, 1998, were incurred  
2978 because of imprudent management. Notwithstanding the provisions of  
2979 this subdivision, nothing herein shall modify or supersede any statute  
2980 or regulation in effect on July 1, 1998, pertaining to applications for  
2981 retirement of nuclear generating facilities.]

2982 (k) If an electric distribution company elected to transfer any of its  
2983 nuclear generation assets and related operations and functions to a  
2984 separate corporate affiliate or to a division that is functionally separate  
2985 from the electric distribution company pursuant to section 16-244g, as  
2986 amended by this act, and subsequently sold any such assets in an arm's  
2987 length transaction to an unrelated entity prior to January 1, 2012, the  
2988 net proceeds realized from such sale that exceed book value for such  
2989 assets shall be netted against the total amount of stranded costs, and  
2990 the competitive transition assessment shall be adjusted accordingly  
2991 and, if appropriate, other reimbursement shall be ordered by the  
2992 authority.

2993 [(l) Funds appropriated to the Treasurer in section 21 of public act  
2994 07-1 of the June special session shall be used by the Treasurer for the  
2995 purpose of (1) defeasing some or all of the state rate reduction bonds  
2996 maturing after December 30, 2007, by irrevocably depositing with the  
2997 bond trustee in trust such appropriation to be used for the scheduled

2998 payments of principal and interest on the said state rate reduction  
2999 bonds and paying operating expenses, (2) purchasing state rate  
3000 reduction bonds maturing after December 30, 2007, in the open market  
3001 on such terms and conditions as the Treasurer determines to be in the  
3002 best interest of the state for purposes of satisfying such bonds, or (3)  
3003 defeasing or satisfying some or all of the state rate reduction bonds  
3004 maturing after December 30, 2007, by a combination of the methods  
3005 described in subdivisions (1) and (2) of this subsection. Such  
3006 appropriation is for the purpose of paying debt service on bonds or  
3007 other evidences of indebtedness and related costs and expenses  
3008 provided for in the indenture. After the defeasance or satisfaction of all  
3009 outstanding state rate reduction bonds, the trustee shall deliver to the  
3010 Treasurer or apply in accordance with the instructions of the Treasurer  
3011 all moneys held by it not necessary to defease or satisfy such bonds or  
3012 allocated to pay operating expenses. Such funds shall be first applied  
3013 to satisfy any unpaid operating expenses. After payment of the  
3014 operating expenses, seventy-five per cent of any remaining amounts  
3015 shall be paid to the Energy Conservation and Load Management Fund,  
3016 established pursuant to section 16-245m, and twenty-five per cent of  
3017 such remaining amount shall be paid to the Clean Energy Fund,  
3018 established pursuant to section 16-245n. The Treasurer and the finance  
3019 authority have the authority to take any necessary and appropriate  
3020 actions to implement the defeasance or satisfaction of the state rate  
3021 reduction bonds and the payment of all operating expenses so that the  
3022 amount of state rate reduction charges which before defeasance  
3023 secured the state rate reduction bonds can be applied to the Energy  
3024 Conservation and Load Management Fund and the Clean Energy  
3025 Fund.]

3026 Sec. 85. Subsection (a) of section 16-245f of the 2014 supplement to  
3027 the general statutes is repealed and the following is substituted in lieu  
3028 thereof (*Effective from passage*):

3029 (a) An [electric company or] electric distribution company shall  
3030 submit to the authority an application for a financing order with

3031 respect to any proposal to sustain funding of conservation and load  
3032 management and renewable energy investment programs by  
3033 substituting disbursements to the General Fund from proceeds of rate  
3034 reduction bonds for such disbursements from the Energy Conservation  
3035 and Load Management Fund established by section 16-245m, as  
3036 amended by this act, and from the Clean Energy Fund established by  
3037 section 16-245n, as amended by this act, and may submit to the  
3038 authority an application for a financing order with respect to the  
3039 following stranded costs: (1) The cost of mitigation efforts, as  
3040 calculated pursuant to subsection (c) of section 16-245e, as amended by  
3041 this act; (2) generation-related regulatory assets, as calculated pursuant  
3042 to subsection (e) of section 16-245e, as amended by this act; and (3)  
3043 those long-term contract costs that have been reduced to a fixed  
3044 present value through the buyout, buydown, or renegotiation of such  
3045 contracts, as calculated pursuant to subsection (f) of section 16-245e, as  
3046 amended by this act. No stranded costs shall be funded with the  
3047 proceeds of rate reduction bonds unless (A) the [electric company or]  
3048 electric distribution company proves to the satisfaction of the authority  
3049 that the savings attributable to such funding will be directly passed on  
3050 to customers through lower rates, and (B) the authority determines  
3051 such funding will not result in giving the electric distribution company  
3052 or any generation entities or affiliates an unfair competitive advantage.  
3053 The authority shall hold a hearing for each such electric distribution  
3054 company to determine the amount of disbursements to the General  
3055 Fund from proceeds of rate reduction bonds that may be substituted  
3056 for such disbursements from the Energy Conservation and Load  
3057 Management Fund established by section 16-245m, as amended by this  
3058 act, and from the Clean Energy Fund established by section 16-245n, as  
3059 amended by this act, and thereby constitute transition property and  
3060 the portion of stranded costs that may be included in such funding and  
3061 thereby constitute transition property. Any hearing shall be conducted  
3062 as a contested case in accordance with chapter 54, except that any  
3063 hearing with respect to a financing order or other order to sustain  
3064 funding for conservation and load management and renewable energy  
3065 investment programs by substituting the disbursement to the General

3066 Fund from the Energy Conservation and Load Management Fund  
3067 established by section 16-245m, as amended by this act, and from the  
3068 Clean Energy Investment Fund established by section 16-245n, as  
3069 amended by this act, shall not be a contested case, as defined in section  
3070 4-166. The authority shall not include any rate reduction bonds as debt  
3071 of an electric distribution company in determining the capital structure  
3072 of the company in a rate-making proceeding, for calculating the  
3073 company's return on equity or in any manner that would impact the  
3074 electric distribution company for rate-making purposes, and shall not  
3075 approve such rate reduction bonds that include covenants that have  
3076 provisions prohibiting any change to their appointment of an  
3077 administrator of the Energy Conservation and Load Management  
3078 Fund. Nothing in this subsection shall be deemed to affect the terms of  
3079 subsection (b) of section 16-245m.

3080 Sec. 86. Section 16-245g of the general statutes is repealed and the  
3081 following is substituted in lieu thereof (*Effective from passage*):

3082 (a) The Public Utilities Regulatory Authority shall assess and  
3083 beginning January 1, 2000, impose the competitive transition  
3084 assessment which shall be imposed on all customers of each electric  
3085 distribution company to provide funds for the purposes described in  
3086 subsection (d) of this section. The authority shall hold a hearing that  
3087 shall be conducted as a contested case in accordance with chapter 54,  
3088 except as otherwise provided in section 16-245f, as amended by this  
3089 act, to determine the amount of the competitive transition assessment.

3090 (b) The authority shall consider the effect on all customer rates and  
3091 other factors relevant to reducing rates in determining the amount of  
3092 the competitive transition assessment and the manner in which and  
3093 the period over which it shall be imposed in any decision of the  
3094 authority to set or adjust the competitive transition assessment.

3095 (c) The competitive transition assessment shall be determined by the  
3096 authority in a general and equitable manner and, in accordance with  
3097 the provisions of subsection (b) of section 16-245f, shall be imposed on



3098 all customers at a rate that is applied equally to all customers of the  
3099 same class in accordance with methods of allocation in effect on July 1,  
3100 1998, provided the competitive transition assessment shall not be  
3101 imposed on customers receiving services under a special contract  
3102 which is in effect on July 1, 1998, until such special contract expires.  
3103 The competitive transition assessment shall be imposed beginning on  
3104 January 1, 2000, on all customers receiving services under a special  
3105 contract which is entered into or renewed after July 1, 1998. The  
3106 competitive transition assessment shall have a generally applicable  
3107 manner of determination that may be measured on the basis of  
3108 percentages of total costs of retail sales of electric generation services.  
3109 Subject to the provisions of subsection (b) of section 16-245f, the  
3110 competitive transition assessment shall be payable by customers on an  
3111 equal basis on the same payment terms and shall be eligible or subject  
3112 to prepayment on an equal basis. Any exemption of the competitive  
3113 transition assessment by customers under a special contract shall not  
3114 result in an increase in rates to any customer.

3115 (d) The authority shall establish, fix and revise the competitive  
3116 transition assessment in an amount sufficient at all times to: (1) Pay the  
3117 principal of and the interest on rate reduction bonds as the same shall  
3118 become due and payable; (2) to pay all reasonable and necessary  
3119 expenses relating to the financing; and (3) to pay an electric  
3120 distribution company stranded costs that are not funded with the  
3121 proceeds of rate reduction bonds and interim capital costs determined  
3122 under subdivision (1) of subsection (e) of section 16-244g.

3123 (e) The competitive transition assessment shall be charged to  
3124 customers until the rate reduction bonds are paid in full by the  
3125 financing entity and stranded costs not funded with the proceeds of  
3126 rate reduction bonds are fully recovered by the [electric company or]  
3127 electric distribution company. Amounts collected from a customer  
3128 shall be allocated on a pro rata basis among (1) rates and charges  
3129 described in subparagraph (A) of subdivision (2) of subsection (a) of  
3130 section 16-245e, as amended by this act, (2) rates and charges described

3131 in subparagraph (B) of subdivision (2) of subsection (a) of section 16-  
3132 245e, as amended by this act, and (3) other charges. To the extent that  
3133 the authority, when issuing a financing order, determines that special  
3134 treatment on customers' bills is necessary or desirable to distinguish  
3135 rates and charges described in subparagraph (A) of subdivision (2) of  
3136 subsection (a) of section 16-245e, as amended by this act, from rates  
3137 and charges described in subparagraph (B) of subdivision (2) of  
3138 subsection (a) of section 16-245e, as amended by this act, in order to  
3139 facilitate the successful issuance and sale of rate reduction bonds, it  
3140 may so provide as part of such financing order.

3141 Sec. 87. Section 16-245h of the general statutes is repealed and the  
3142 following is substituted in lieu thereof (*Effective from passage*):

3143 (a) The competitive transition assessment described in  
3144 subparagraph (A) of subdivision (2) of subsection (a) of section 16-  
3145 245e, as amended by this act, shall constitute transition property when,  
3146 and to the extent that, a financing order authorizing such portion of  
3147 the competitive transition assessment has become effective in  
3148 accordance with sections 16-245e to 16-245k, inclusive, as amended by  
3149 this act, and the transition property shall thereafter continuously exist  
3150 as property for all purposes with all of the rights and privileges of  
3151 sections 16-245e to 16-245k, inclusive, as amended by this act, for the  
3152 period and to the extent provided in the financing order, but in any  
3153 event until the rate reduction bonds are paid in full, including all  
3154 principal, interest, premium, costs, and arrearages on such bonds.  
3155 Prior to its sale or other transfer by the [electric company or] electric  
3156 distribution company pursuant to sections 16-245e to 16-245k,  
3157 inclusive, as amended by this act, transition property, other than  
3158 transition property in respect of the economic recovery transfer or in  
3159 respect to disbursements to the General Fund to sustain funding of  
3160 conservation and load management and renewable energy investment  
3161 programs, shall be a vested contract right of the [electric company or]  
3162 electric distribution company, notwithstanding any contrary treatment  
3163 thereof for accounting, tax, or other purpose. Transition property in

3164 respect of disbursements to the General Fund to sustain funding of  
3165 conservation and load management and renewable energy investment  
3166 programs shall immediately upon its creation vest solely in the  
3167 financing entity. Transition property in respect to the economic  
3168 recovery transfer shall immediately upon its creation vest solely in the  
3169 financing entity. The [electric company or] electric distribution  
3170 company shall have no right, title or interest in transition property in  
3171 respect to the economic recovery transfer or in respect of  
3172 disbursements to the General Fund to sustain funding of conservation  
3173 and load management and renewable energy investment programs,  
3174 and in respect of such transition property shall be only a collection  
3175 agent on behalf of the financing entity.

3176 (b) Any surplus competitive transition assessment described in  
3177 subparagraph (A) of subdivision (2) of subsection (a) of section 16-  
3178 245e, as amended by this act, in excess of the amounts necessary to pay  
3179 principal, premium, if any, interest and expenses of the issuance of the  
3180 rate reduction bonds shall be remitted to the financing entity and may  
3181 be used to benefit customers if this would not result in a  
3182 recharacterization of the tax, accounting, and other intended  
3183 characteristics of the financing, including, but not limited to, the  
3184 following:

3185 (1) Avoiding the recognition of debt on the [electric company's or  
3186 the] electric distribution company's balance sheet for financial  
3187 accounting and regulatory purposes;

3188 (2) Treating the rate reduction bonds as debt of the [electric  
3189 company or] electric distribution company or its affiliates for federal  
3190 income tax purposes;

3191 (3) Treating the transfer of the transition property by the [electric  
3192 company or] electric distribution company as a true sale for  
3193 bankruptcy purposes; or

3194 (4) Avoiding any adverse impact of the financing on the credit

3195 rating of the rate reduction bonds or the [electric company or] electric  
3196 distribution company.

3197 (c) Electric [companies and electric] distribution companies may sell  
3198 and assign all or portions of their interest in transition property to an  
3199 affiliate. Electric [companies and electric] distribution companies or  
3200 their affiliates may sell or assign their interests to one or more  
3201 financing entities that make that property the basis for issuance of rate  
3202 reduction bonds to the extent approved in the pertinent financing  
3203 orders. Electric [companies, electric] distribution companies, their  
3204 affiliates, or financing entities may pledge transition property as  
3205 collateral, directly or indirectly, for rate reduction bonds to the extent  
3206 approved in the pertinent financing orders providing for a security  
3207 interest in the transition property, in the manner as set forth in section  
3208 16-245k, as amended by this act. In addition, transition property may  
3209 be sold or assigned by (1) the financing entity or a trustee for the  
3210 holders of rate reduction bonds in connection with the exercise of  
3211 remedies upon a default, or (2) any person acquiring the transition  
3212 property after a sale or assignment pursuant to this subsection.

3213 (d) To the extent that any interest in transition property is so sold or  
3214 assigned, or is so pledged as collateral, the authority shall authorize  
3215 the [electric company or] electric distribution company to contract with  
3216 the financing entity that it will continue to operate its system to  
3217 provide service to its customers, will collect amounts in respect of the  
3218 competitive transition assessment for the benefit and account of the  
3219 financing entity, and will account for and remit these amounts to or for  
3220 the account of the financing entity. Contracting with the financing  
3221 entity in accordance with that authorization shall not impair or negate  
3222 the characterization of the sale, assignment, or pledge as an absolute  
3223 transfer, a true sale, or security interest, as applicable.

3224 Sec. 88. Subsections (a) and (b) of section 16-245i of the general  
3225 statutes are repealed and the following is substituted in lieu thereof  
3226 (*Effective from passage*):

3227 (a) The authority may issue financing orders in accordance with  
3228 sections 16-245e to 16-245k, inclusive, as amended by this act, to fund  
3229 the economic recovery transfer, to sustain funding of conservation and  
3230 load management and renewable energy investment programs by  
3231 substituting disbursements to the General Fund from proceeds of rate  
3232 reduction bonds for such disbursements from the Energy Conservation  
3233 and Load Management Fund established by section 16-245m, as  
3234 amended by this act, and from the Clean Energy Fund established by  
3235 section 16-245n, as amended by this act, and to facilitate the provision,  
3236 recovery, financing, or refinancing of stranded costs. Except for a  
3237 financing order in respect to the economic recovery revenue bonds, a  
3238 financing order may be adopted only upon the application of an  
3239 [electric company or] electric distribution company, pursuant to  
3240 section 16-245f, as amended by this act, and shall become effective in  
3241 accordance with its terms only after the [electric company or] electric  
3242 distribution company files with the authority the [electric company's  
3243 or the] electric distribution company's written consent to all terms and  
3244 conditions of the financing order. Any financing order in respect to the  
3245 economic recovery revenue bonds shall be effective on issuance.

3246 (b) (1) Notwithstanding any general or special law, rule, or  
3247 regulation to the contrary, except as otherwise provided in this  
3248 subsection with respect to transition property that has been made the  
3249 basis for the issuance of rate reduction bonds, the financing orders and  
3250 the competitive transition assessment shall be irrevocable and the  
3251 authority shall not have authority either by rescinding, altering, or  
3252 amending the financing order or otherwise, to revalue or revise for  
3253 rate-making purposes the stranded costs, or the costs of providing,  
3254 recovering, financing, or refinancing the stranded costs, the amount of  
3255 the economic recovery transfer or the amount of disbursements to the  
3256 General Fund from proceeds of rate reduction bonds substituted for  
3257 such disbursements from the Energy Conservation and Load  
3258 Management Fund established by section 16-245m, as amended by this  
3259 act, and from the Clean Energy Fund established by section 16-245n, as  
3260 amended by this act, determine that the competitive transition

3261 assessment is unjust or unreasonable, or in any way reduce or impair  
3262 the value of transition property either directly or indirectly by taking  
3263 the competitive transition assessment into account when setting other  
3264 rates for the [electric company or] electric distribution company; nor  
3265 shall the amount of revenues arising with respect thereto be subject to  
3266 reduction, impairment, postponement, or termination.

3267 (2) Notwithstanding any other provision of this section, the  
3268 authority shall approve the adjustments to the competitive transition  
3269 assessment as may be necessary to ensure timely recovery of all  
3270 stranded costs that are the subject of the pertinent financing order, and  
3271 the costs of capital associated with the provision, recovery, financing,  
3272 or refinancing thereof, including the costs of issuing, servicing, and  
3273 retiring the rate reduction bonds issued to recover stranded costs  
3274 contemplated by the financing order and to ensure timely recovery of  
3275 the costs of issuing, servicing, and retiring the rate reduction bonds  
3276 issued to sustain funding of conservation and load management and  
3277 renewable energy investment programs contemplated by the financing  
3278 order, and to ensure timely recovery of the costs of issuing, servicing  
3279 and retiring the economic recovery revenue bonds issued to fund the  
3280 economic recovery transfer contemplated by the financing order.

3281 (3) Notwithstanding any general or special law, rule, or regulation  
3282 to the contrary, any requirement under sections 16-245e to 16-245k,  
3283 inclusive, as amended by this act, or a financing order that the  
3284 authority take action with respect to the subject matter of a financing  
3285 order shall be binding upon the authority, as it may be constituted  
3286 from time to time, and any successor agency exercising functions  
3287 similar to the authority and the authority shall have no authority to  
3288 rescind, alter, or amend that requirement in a financing order. Section  
3289 16-43 shall not apply to any sale, assignment, or other transfer of or  
3290 grant of a security interest in any transition property or the issuance of  
3291 rate reduction bonds under sections 16-245e to 16-245k, inclusive, as  
3292 amended by this act.

3293 Sec. 89. Subsections (a) to (c), inclusive, of section 16-245j of the

3294 general statutes are repealed and the following is substituted in lieu  
3295 thereof (*Effective from passage*):

3296 (a) (1) Except as provided in subdivision (2) of this subsection, a  
3297 financing entity may issue rate reduction bonds upon approval by the  
3298 authority in the pertinent financing order. Rate reduction bonds shall  
3299 be nonrecourse to the credit or any assets of the [electric company,]  
3300 electric distribution company or the finance authority, other than the  
3301 transition property as specified in the pertinent financing order.

3302 (2) Notwithstanding the provisions of subdivision (1) of this  
3303 subsection, on and after June 21, 2011, no financing entity has the  
3304 power or is authorized to issue economic recovery revenue bonds. No  
3305 competitive transition assessment shall be assessed to secure and pay  
3306 economic recovery revenue bonds.

3307 (b) Except as otherwise provided in this subsection, the state of  
3308 Connecticut does hereby pledge and agree with the owners of  
3309 transition property and holders of rate reduction bonds that the state  
3310 shall neither limit nor alter the competitive transition assessment,  
3311 transition property, financing orders, and all rights thereunder until  
3312 the obligations, together with the interest thereon, are fully met and  
3313 discharged, provided nothing contained in this subsection shall  
3314 preclude the limitation or alteration if and when adequate provision  
3315 shall be made by law for the protection of the owners and holders. The  
3316 finance authority as agent for the state is authorized to include this  
3317 pledge and undertaking for the state in these obligations.

3318 (c) (1) Financing orders and rate reduction bonds shall not be  
3319 deemed to constitute a debt or liability of the state or of any political  
3320 subdivision thereof, other than the financing entity, shall not constitute  
3321 a pledge of the full faith and credit of the state or any of its political  
3322 subdivisions, other than the financing entity, but shall be payable  
3323 solely from the funds provided under sections 16-245e to 16-245k,  
3324 inclusive, as amended by this act, and shall not constitute an  
3325 indebtedness of the state within the meaning of any constitutional or

3326 statutory debt limitation or restriction and, accordingly, shall not be  
3327 subject to any statutory limitation on the indebtedness of the state and  
3328 shall not be included in computing the aggregate indebtedness of the  
3329 state in respect to and to the extent of any such limitation. This  
3330 subsection shall in no way preclude bond guarantees or enhancements  
3331 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this  
3332 act. All rate reduction bonds shall contain on the face thereof a  
3333 statement to the following effect: "Neither the full faith and credit nor  
3334 the taxing power of the State of Connecticut is pledged to the payment  
3335 of the principal of, or interest on, this bond."

3336 (2) The issuance of rate reduction bonds under sections 16-245e to  
3337 16-245k, inclusive, as amended by this act, shall not directly, indirectly,  
3338 or contingently obligate the state or any political subdivision thereof to  
3339 levy or to pledge any form of taxation therefor or to make any  
3340 appropriation for their payment.

3341 (3) The exercise of the powers granted by sections 16-245e to 16-  
3342 245k, inclusive, as amended by this act, shall be in all respects for the  
3343 benefit of the people of this state, for the increase of their commerce,  
3344 welfare, and prosperity, and as the exercise of such powers shall  
3345 constitute the performance of an essential public function, neither the  
3346 finance authority, any [electric company or] electric distribution  
3347 company, any affiliate of any [electric company or] electric distribution  
3348 company, any financing entity, or any collection or other agent of any  
3349 of the foregoing shall be required to pay any taxes or assessments  
3350 upon or in respect of any revenues or property received, acquired,  
3351 transferred, or used by the finance authority, any [electric company or]  
3352 electric distribution company, any affiliate of any [electric company or]  
3353 electric distribution company, any financing entity, or any collection or  
3354 other agent of any of the foregoing under the provisions of sections 16-  
3355 245e to 16-245k, inclusive, as amended by this act, or upon or in  
3356 respect of the income therefrom, and any rate reduction bonds shall be  
3357 treated as issued by or on behalf of a public instrumentality created  
3358 under the laws of the state for purposes of chapter 229.



3359 (4) (A) The proceeds of any rate reduction bonds, other than  
3360 economic recovery revenue bonds, shall be used for the purposes  
3361 approved by the authority in the financing order, including, but not  
3362 limited to, disbursements to the General Fund in substitution for such  
3363 disbursements from the Energy Conservation and Load Management  
3364 Fund established by section 16-245m, as amended by this act, and from  
3365 the Clean Energy Fund established by section 16-245n, as amended by  
3366 this act, the costs of refinancing or retiring of debt of the [electric  
3367 company or] electric distribution company, and associated federal and  
3368 state tax liabilities; provided such proceeds shall not be applied to  
3369 purchase generation assets or to purchase or redeem stock or to pay  
3370 dividends to shareholders or operating expenses other than taxes  
3371 resulting from the receipt of such proceeds.

3372 (B) The proceeds of any economic recovery revenue bonds shall be  
3373 used for the purposes approved by the authority in the financing  
3374 order, including, but not limited to, funding the economic recovery  
3375 transfer, provided such proceeds shall not be applied to purchase  
3376 generation assets or to purchase or redeem stock or to pay dividends  
3377 to shareholders or operating expenses other than taxes resulting from  
3378 the receipt of such proceeds.

3379 (5) Rate reduction bonds are made and declared (A) securities in  
3380 which all public officers and public bodies of the state and its political  
3381 subdivisions, all insurance companies, state banks and trust  
3382 companies, national banking associations, savings banks, savings and  
3383 loan associations, investment companies, executors, administrators,  
3384 trustees and other fiduciaries may properly and legally invest funds,  
3385 including capital in their control or belonging to them, and (B)  
3386 securities which may properly and legally be deposited with and  
3387 received by any state or municipal officer or any agency or political  
3388 subdivision of the state for any purpose for which the deposit of bonds  
3389 or obligations of the state is now or may be authorized.

3390 (6) Rate reduction bonds, other than economic recovery revenue  
3391 bonds, shall mature at such time or times approved by the authority in

the financing order; provided that such maturity shall not be later than December 31, 2011. Economic recovery revenue bonds shall mature at such time or times approved by the authority in the financing order, provided such maturity shall not be later than eight years after the date of issuance, provided such maturity may be extended for economic reasons, upon the advice of the financing entity.

(7) Rate reduction bonds issued and at any time outstanding may, if and to the extent permitted under the indenture or other agreement pursuant to which they are issued, be refunded by other rate reduction bonds.

Sec. 90. Section 16-245k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A security interest in transition property is valid, is enforceable against the pledgor and third parties, subject to the rights of any third parties holding security interests in the transition property perfected in the manner described in this section, and attaches when all of the following have taken place:

(1) The authority has issued the financing order authorizing the competitive transition assessment included in the transition property.

(2) Value has been given by the pledgees of the transition property.

(3) The pledgor has signed a security agreement covering the transition property.

(b) A valid and enforceable security interest in transition property is perfected when it has attached and when a financing statement has been filed in accordance with part 5 of article 9 of title 42a naming the pledgor of the transition property as "debtor" and identifying the transition property. In such case, the financing statement shall be filed as if the debtor were located in this state. Any description of the transition property shall be sufficient if it refers to the financing order creating the transition property. A copy of the financing statement

3422 shall be filed with the authority by the [electric company or] electric  
 3423 distribution company or the financing entity that is the pledgor or  
 3424 transferor of the transition property, and the authority may require the  
 3425 [electric company or] electric distribution company or the financing  
 3426 entity to make other filings with respect to the security interest in  
 3427 accordance with procedures it may establish, provided that the filings  
 3428 shall not affect the perfection of the security interest.

3429 (c) A perfected security interest in transition property is a  
 3430 continuously perfected security interest in all revenues and proceeds  
 3431 arising with respect thereto, whether or not the revenues or proceeds  
 3432 have accrued. Conflicting security interests shall rank according to  
 3433 priority in time of perfection. Transition property shall constitute  
 3434 property for all purposes, including for contracts securing rate  
 3435 reduction bonds, whether or not the revenues and proceeds arising  
 3436 with respect thereto have accrued.

3437 (d) Subject to the terms of the security agreement covering the  
 3438 transition property and the rights of any third parties holding security  
 3439 interests in the transition property perfected in the manner described  
 3440 in this section, the validity and relative priority of a security interest  
 3441 created under this section are not defeated or adversely affected by the  
 3442 commingling of revenues arising with respect to the transition  
 3443 property with other funds of the [electric company or] electric  
 3444 distribution company that is the pledgor or transferor of, or the  
 3445 collection agent with respect to, the transition property, or by any  
 3446 security interest in a deposit account of that [electric company or]  
 3447 electric distribution company into which the revenues are deposited or  
 3448 in such revenues themselves perfected under article 9 of title 42a or  
 3449 otherwise. Subject to the terms of the security agreement, the pledgees  
 3450 of the transition property shall have a perfected security interest in all  
 3451 cash and deposit accounts of the [electric company or] electric  
 3452 distribution company in which revenues arising with respect to the  
 3453 transition property have been commingled with other funds, but the  
 3454 perfected security interest shall be limited to an amount not greater

3455 than the amount of the revenues with respect to the transition property  
3456 received by the [electric company or] electric distribution company  
3457 within twelve months before (1) any default under the security  
3458 agreement, or (2) the institution of insolvency proceedings by or  
3459 against the [electric company or] electric distribution company, less  
3460 payments from the revenues to the pledgees during that twelve-month  
3461 period.

3462 (e) If an event of default occurs under the security agreement  
3463 covering the transition property, the pledgees of the transition  
3464 property, subject to the terms of the security agreement, shall have all  
3465 rights and remedies of a secured party upon default under article 9 of  
3466 title 42a, and shall be entitled to foreclose or otherwise enforce their  
3467 security interest in the transition property, subject to the rights of any  
3468 third parties holding prior security interests in the transition property  
3469 perfected in the manner provided in this section. In addition, the  
3470 authority may require, in the financing order creating the transition  
3471 property, that, in the event of default by the [electric company or]  
3472 electric distribution company in payment of revenues arising with  
3473 respect to the transition property, the authority and any successor  
3474 thereto, upon the application by the pledgees or transferees, including  
3475 transferees under this section, of the transition property, and without  
3476 limiting any other remedies available to the pledgees or transferees by  
3477 reason of the default, shall order the sequestration and payment to the  
3478 pledgees or transferees of revenues arising with respect to the  
3479 transition property. Any order shall remain in full force and effect  
3480 notwithstanding any bankruptcy, reorganization, or other insolvency  
3481 proceedings with respect to the debtor, pledgor, or transferor of the  
3482 transition property. Any surplus in excess of amounts necessary to pay  
3483 principal, premium, if any, interest, costs, and arrearages on the rate  
3484 reduction bonds, and other costs arising under the security agreement,  
3485 shall be remitted to the debtor or to the pledgor or transferor.

3486 (f) Sections 42a-9-204 and 42a-9-205 shall apply to a pledge of  
3487 transition property by an [electric company or] electric distribution

3488 company, an affiliate of an [electric company or] electric distribution  
3489 company, or a financing entity.

3490 (g) This section sets forth the terms by which a consensual security  
3491 interest can be created and perfected in the transition property. Unless  
3492 otherwise ordered by the authority with respect to any series of rate  
3493 reduction bonds on or prior to the issuance of the series, there shall  
3494 exist a statutory lien as provided in this subsection. Upon the effective  
3495 date of the financing order, there shall exist a first priority lien on all  
3496 transition property then existing or thereafter arising pursuant to the  
3497 terms of the financing order. This lien shall arise by operation of this  
3498 section automatically without any action on the part of the [electric  
3499 company or] electric distribution company, any affiliate thereof, the  
3500 financing entity, or any other person. This lien shall secure all  
3501 obligations, then existing or subsequently arising, to the holders of the  
3502 rate reduction bonds issued pursuant to the financing order, the  
3503 trustee or representative for the holders, and any other entity specified  
3504 in the financing order. The persons for whose benefit this lien is  
3505 established shall, upon the occurrence of any defaults specified in the  
3506 financing order, have all rights and remedies of a secured party upon  
3507 default under article 9 of title 42a, and shall be entitled to foreclose or  
3508 otherwise enforce this statutory lien in the transition property. This  
3509 lien shall attach to the transition property regardless of who shall own,  
3510 or shall subsequently be determined to own, the transition property  
3511 including any [electric company or] electric distribution company, any  
3512 affiliate thereof, the financing entity, or any other person. This lien  
3513 shall be valid, perfected, and enforceable against the owner of the  
3514 transition property and all third parties upon the effectiveness of the  
3515 financing order without any further public notice; provided, however,  
3516 that any person may, but shall not be required to, file a financing  
3517 statement in accordance with subsection (b) of this section. Financing  
3518 statements so filed may be "protective filings" and shall not be  
3519 evidence of the ownership of the transition property. A perfected  
3520 statutory lien in transition property is a continuously perfected lien in  
3521 all revenues and proceeds arising with respect thereto, whether or not

the revenues or proceeds have accrued. Conflicting liens shall rank according to priority in time of perfection. Transition property shall constitute property for all purposes, including for contracts securing rate reduction bonds, whether or not the revenues and proceeds arising with respect thereto have accrued. In addition, the authority may require, in the financing order creating the transition property, that, in the event of default by the [electric company or] electric distribution company in payment of revenues arising with respect to transition property, the authority and any successor thereto, upon the application by the beneficiaries of the statutory lien, and without limiting any other remedies available to the beneficiaries by reason of the default, shall order the sequestration and payment to the beneficiaries of revenues arising with respect to the transition property. Any order shall remain in full force and effect notwithstanding any bankruptcy, reorganization, or other insolvency proceedings with respect to the debtor, pledgor, or transferor of the transition property. Any surplus in excess of amounts necessary to pay principal, premium, if any, interest, costs, and arrearages on the rate reduction bonds, and other costs arising in connection with the documents governing the rate reduction bonds, shall be remitted to the debtor or to the pledgor or transferor.

(h) A transfer of transition property by an [electric company or] electric distribution company to an affiliate or to a financing entity, or by an affiliate of an [electric company or] electric distribution company or a financing entity to another financing entity, which the parties have in the governing documentation expressly stated to be a sale or other absolute transfer, in a transaction approved in a financing order, shall be treated as an absolute transfer of all of the transferor's right, title, and interest, as in a true sale, and not as a pledge or other financing, of the transition property, in each case notwithstanding any contrary treatment of such transfer for accounting, tax, or other purposes. Granting to holders of rate reduction bonds a preferred right to revenues of the [electric company or] electric distribution company or the financing entity, or the provision by the company of other credit

enhancement with respect to rate reduction bonds, shall not impair or negate the characterization of any transfer as a true sale, in each case notwithstanding any contrary treatment of such transfer for accounting, tax or other purposes.

(i) A transfer of transition property shall be deemed perfected as against third persons when both of the following have taken place:

(1) The authority has issued the financing order authorizing the competitive transition assessment included in the transition property.

(2) An assignment of the transition property in writing has been executed and delivered to the transferee.

(j) As between bona fide assignees of the same right for value without notice, the assignee first filing a financing statement in accordance with part 5 of article 9 of title 42a naming the assignor of the transition property as debtor and identifying the transition property has priority. In such case, the financing statement shall be filed as if the debtor were located in this state. Any description of the transition property shall be sufficient if it refers to the financing order creating the transition property. A copy of the financing statement shall be filed by the assignee or the financing entity with the authority, and the authority may require the assignor or the assignee or the financing entity to make other filings with respect to the transfer in accordance with procedures it may establish, but these filings shall not affect the perfection of the transfer.

(k) Any successor to the [electric company or] electric distribution company, whether pursuant to any bankruptcy, reorganization, or other insolvency proceeding, or pursuant to any merger, sale, or transfer, by operation of law, or otherwise, shall perform and satisfy all obligations of the [electric company or] electric distribution company pursuant to sections 16-245e to 16-245k, inclusive, as amended by this act, in the same manner and to the same extent as the [electric company or] electric distribution company, including, but not limited

3587 to, collecting and paying to the holders of rate reduction bonds or their  
3588 representatives or the applicable financing entity revenues arising with  
3589 respect to the transition property sold to the applicable financing entity  
3590 or pledged to secure rate reduction bonds.

3591 (l) The authority of the Public Utilities Regulatory Authority to issue  
3592 financing orders pursuant to sections 16-245e to 16-245k, inclusive, as  
3593 amended by this act, shall expire on December 31, 2008, with respect to  
3594 bonds other than economic recovery revenue bonds. The authority of  
3595 the Public Utilities Regulatory Authority to issue financing orders  
3596 pursuant to sections 16-245e to 16-245k, inclusive, as amended by this  
3597 act, with respect to economic recovery revenue bonds shall expire on  
3598 December 31, 2012. The expiration of such authority shall have no  
3599 effect upon financing orders adopted by the Public Utilities Regulatory  
3600 Authority pursuant to sections 16-245e to 16-245k, inclusive, as  
3601 amended by this act, or any transition property arising therefrom, or  
3602 upon the charges authorized to be levied thereunder, or the rights,  
3603 interests, and obligations of the [electric company or] electric  
3604 distribution company or a financing entity or holders of rate reduction  
3605 bonds pursuant to the financing order, or the authority of the Public  
3606 Utilities Regulatory Authority to monitor, supervise, or take further  
3607 action with respect to the financing order in accordance with the terms  
3608 of sections 16-245e to 16-245k, inclusive, as amended by this act, and of  
3609 the financing order.

3610 Sec. 91. Subsections (a) to (d), inclusive, of section 16-245o of the  
3611 2014 supplement to the general statutes are repealed and the following  
3612 is substituted in lieu thereof (*Effective from passage*):

3613 (a) To protect a customer's right to privacy from unwanted  
3614 solicitation, each [electric company or] electric distribution company [,  
3615 as the case may be,] shall distribute to each customer a form approved  
3616 by the Public Utilities Regulatory Authority which the customer shall  
3617 submit to the customer's [electric or] electric distribution company in a  
3618 timely manner if the customer does not want the customer's name,  
3619 address, telephone number and rate class to be released to electric



3620 suppliers. On and after July 1, 1999, each [electric or] electric  
3621 distribution company [, as the case may be,] shall make available to all  
3622 electric suppliers customer names, addresses, telephone numbers, if  
3623 known, and rate class, unless the [electric company or] electric  
3624 distribution company has received a form from a customer requesting  
3625 that such information not be released. Additional information about a  
3626 customer for marketing purposes shall not be released to any electric  
3627 supplier unless a customer consents to a release by one of the  
3628 following: (1) An independent third-party telephone verification; (2)  
3629 receipt of a written confirmation received in the mail from the  
3630 customer after the customer has received an information package  
3631 confirming any telephone agreement; (3) the customer signs a  
3632 document fully explaining the nature and effect of the release; or (4)  
3633 the customer's consent is obtained through electronic means,  
3634 including, but not limited to, a computer transaction.

3635 (b) All electric suppliers shall have equal access to customer  
3636 information required to be disclosed under subsection (a) of this  
3637 section. No electric supplier shall have preferential access to historical  
3638 distribution company customer usage data.

3639 (c) No [electric or] electric distribution company shall include in any  
3640 bill or bill insert anything that directly or indirectly promotes a  
3641 generation entity or affiliate of the electric distribution company. No  
3642 electric supplier shall include a bill insert in an electric bill of an  
3643 electric distribution company.

3644 (d) All marketing information provided pursuant to the provisions  
3645 of this section shall be formatted electronically by the [electric  
3646 company or] electric distribution company [, as the case may be,] in a  
3647 form that is readily usable by standard commercial software packages.  
3648 Updated lists shall be made available within a reasonable time, as  
3649 determined by the authority, following a request by an electric  
3650 supplier. Each electric supplier seeking the information shall pay a fee  
3651 to the [electric company or] electric distribution company [, as the case  
3652 may be,] which reflects the incremental costs of formatting, sorting and

3653 distributing this information, together with related software changes.  
3654 Customers shall be entitled to any available individual information  
3655 about their loads or usage at no cost.

3656 Sec. 92. Subsection (a) of section 16-245p of the 2014 supplement to  
3657 the general statutes is repealed and the following is substituted in lieu  
3658 thereof (*Effective from passage*):

3659 (a) An electric supplier and an electric distribution company  
3660 providing standard service or back-up electric generation service,  
3661 pursuant to section 16-244c, as amended by this act, shall submit  
3662 information to the Public Utilities Regulatory Authority that the  
3663 authority determines will assist customers in making informed  
3664 decisions when choosing an electric supplier, including, but not  
3665 limited to, the information provided in subsection (b) of this section.  
3666 Each supplier or electric distribution company providing standard  
3667 service or back-up electric generation service, pursuant to section 16-  
3668 244c, as amended by this act, shall, at such times as the authority  
3669 requires, but not less than annually, submit in a form prescribed by the  
3670 authority, information that the authority must make available  
3671 pursuant to subsection (b) of this section and any other information the  
3672 authority considers relevant. After the authority has received the  
3673 information required pursuant to this subsection, the supplier shall be  
3674 eligible to receive customer marketing information from [electric or]  
3675 electric distribution companies, as provided in section 16-245o, as  
3676 amended by this act.

3677 Sec. 93. Subsection (a) of section 16-245y of the 2014 supplement to  
3678 the general statutes is repealed and the following is substituted in lieu  
3679 thereof (*Effective from passage*):

3680 (a) Not later than October 1, 1999, and annually thereafter, each  
3681 [electric company and] electric distribution company, as defined in  
3682 section 16-1, as amended by this act, shall report to the Public Utilities  
3683 Regulatory Authority its system average interruption duration index  
3684 (SAIDI) and its system average interruption frequency index (SAIFI)

3685 for the preceding twelve months. For purposes of this section: (1)  
3686 Interruptions shall not include outages attributable to major storms,  
3687 scheduled outages and outages caused by customer equipment, each  
3688 as determined by the authority; (2) SAIDI shall be calculated as the  
3689 sum of customer interruptions in the preceding twelve-month period,  
3690 in minutes, divided by the average number of customers served  
3691 during that period; and (3) SAIFI shall be calculated as the total  
3692 number of customers interrupted in the preceding twelve-month  
3693 period, divided by the average number of customers served during  
3694 that period. Not later than January 1, 2000, and annually thereafter, the  
3695 authority shall report on the SAIDI and SAIFI data for each [electric  
3696 company and] electric distribution company, and all state-wide SAIDI  
3697 and SAIFI data to the joint standing committee of the General  
3698 Assembly having cognizance of matters relating to energy.

3699 Sec. 94. Section 16-245ii of the general statutes is repealed and the  
3700 following is substituted in lieu thereof (*Effective from passage*):

3701 Commencing January 1, 2012, each electric distribution [, electric]  
3702 and gas company shall maintain and make available to the public, free  
3703 of charge, records of the energy consumption data of all typical  
3704 nonresidential buildings to which such company provides service. This  
3705 data shall be maintained in a format (1) compatible for uploading to  
3706 the United States Environmental Protection Agency's Energy Star  
3707 portfolio manager or similar system, for at least the most recent thirty-  
3708 six months, and (2) that preserves the confidentiality of the customer.

3709 Sec. 95. Section 16-245jj of the general statutes is repealed and the  
3710 following is substituted in lieu thereof (*Effective from passage*):

3711 Commencing January 1, 2012, each electric distribution [, electric]  
3712 and gas company shall provide aggregate town customer usage  
3713 information by customer class that preserves the confidentiality of  
3714 individual customers to any legislative body of a municipality that  
3715 requests such information.

3716 Sec. 96. Subsection (a) of section 16-246e of the general statutes is  
3717 repealed and the following is substituted in lieu thereof (*Effective from*  
3718 *passage*):

3719 (a) The Governor may designate the Public Utilities Regulatory  
3720 Authority as the agent of the state, subject only to the limitation under  
3721 subsection (b) of this section, to conduct negotiations and perform all  
3722 acts necessary to procure electric power capacity, power output from  
3723 such capacity or both from any out-of-state electric power producer, to  
3724 transmit it to within the state and to sell or resell it on a nonprofit basis  
3725 for distribution within the state to electric distribution companies, as  
3726 defined in section 16-1, as amended by this act, municipal electric  
3727 utilities established under chapter 101, municipal electric energy  
3728 cooperatives organized under chapter 101a, membership electric  
3729 cooperatives organized under chapter 597 and such other persons or  
3730 entities as may be designated by the Governor. The authority, if  
3731 designated as such agent, shall arrange for the sale or resale of such  
3732 power on an equitable basis and in such manner as it finds will most  
3733 effectively promote the objectives of this title, chapters 101, 101a and  
3734 597, and section 16a-35k, subject to any conditions or limitations  
3735 imposed by the out-of-state electric power producer selling such  
3736 power. The authority, if so designated, may also enter into any  
3737 contracts or other arrangements for the sale or resale of such power for  
3738 transmission outside the state if such sale or resale is reasonably  
3739 incidental to and furthers the needs of the state and the purposes of  
3740 this section.

3741 Sec. 97. Section 16-246f of the general statutes is repealed and the  
3742 following is substituted in lieu thereof (*Effective from passage*):

3743 (a) As used in this section:

3744 (1) "Assistance" means any aid or support provided, or any actions  
3745 taken by a domestic electric company for or on behalf of another  
3746 domestic electric company or by a foreign electric company for or on  
3747 behalf of a domestic electric company including, without limitation,

3748 the temporary transfer or use of repair personnel and equipment;

3749 (2) "Domestic electric company" means any [electric company or]  
3750 electric distribution company, as defined in section 16-1, as amended  
3751 by this act, any membership electric cooperative organized under  
3752 chapter 597 and any municipal electric utility or municipal electric  
3753 energy cooperative, as defined respectively in section 7-233b, which  
3754 has been chartered by or organized or constituted within or under the  
3755 laws of this state;

3756 (3) "Foreign electric company" [shall have the same meaning as  
3757 provided in section 16-246a] means a corporation, company,  
3758 association, joint stock association or trust organized under the laws of  
3759 a state other than this state, as well as a town, city, borough, or any  
3760 municipal corporation, department or agency thereof, whether  
3761 separately incorporated or not, of a state other than this state,  
3762 authorized under the laws of the state in which organized to generate  
3763 or transmit electric energy.

3764 (b) Notwithstanding any contrary provision of any general statute  
3765 or special act, or any limitation imposed by its charter, a domestic  
3766 electric company shall have the power to request assistance from and  
3767 provide assistance to other domestic electric companies and to foreign  
3768 electric companies and to enter into agreements regarding the  
3769 reimbursement of expenses and other matters and to perform such  
3770 other acts as may be necessary or desirable to request and provide  
3771 such assistance. A domestic electric company shall not be exempt from  
3772 nor forfeit the benefits of the provisions of any applicable laws solely  
3773 by requesting or providing such assistance, except as provided in this  
3774 section.

3775 (c) Notwithstanding any contrary provision of any general statute  
3776 or special act, a foreign electric company shall have the right to request  
3777 assistance from and provide assistance to domestic electric companies  
3778 and to enter into agreements regarding the reimbursement of expenses  
3779 and other matters and to perform such other acts as may be necessary

3780 or desirable to request and provide such assistance. A foreign electric  
3781 company shall not constitute an ["electric company"] "electric  
3782 distribution company" or a "public service company" for the purposes  
3783 of this title solely by requesting or providing assistance in this state.

3784 Sec. 98. Subsections (a) to (c), inclusive, of section 16-259a of the  
3785 general statutes are repealed and the following is substituted in lieu  
3786 thereof (*Effective from passage*):

3787 (a) No [electric,] electric distribution, gas or water company or  
3788 electric supplier, which inaccurately bills a retail customer for service  
3789 may bill or otherwise hold the customer financially liable for more  
3790 than one year after the customer receives such service, unless the  
3791 customer, either alone or with an individual other than an employee of  
3792 the company, by an affirmative act, is responsible for the inaccurate  
3793 billing or fails to provide for reasonable access to the premises where  
3794 the company's meter is located by an employee of the company during  
3795 business hours for the purpose of reading the meter.

3796 (b) Any such [electric,] electric distribution, gas or water company  
3797 or electric supplier which inaccurately bills a retail customer for  
3798 service may bill or otherwise hold the customer financially liable for  
3799 not more than one year after the customer receives such service, unless  
3800 a delayed bill for the service (1) would deprive the customer of the  
3801 opportunity to apply for or receive energy assistance or (2) is the result  
3802 of the customer's meter erroneously registering another customer's  
3803 consumption, in which case the company may not bill or otherwise  
3804 hold the customer liable for the service provided to another customer.

3805 (c) No telephone company or certified telecommunications provider  
3806 that inaccurately bills a retail customer for service may bill or  
3807 otherwise hold the customer financially liable for more than two years  
3808 or the time provided in federal law, whichever is longer, after the  
3809 customer receives such service, unless the customer, either alone or  
3810 with a person other than an employee of the telephone company or  
3811 certified telecommunications provider by an affirmative act, is

3812 responsible for the inaccurate billing.

3813 Sec. 99. Section 16-261 of the general statutes is repealed and the  
3814 following is substituted in lieu thereof (*Effective from passage*):

3815 (a) The Public Utilities Regulatory Authority shall order and direct  
3816 the [electric and] electric distribution companies providing electric  
3817 distribution services in this state to extend lines in their chartered  
3818 territory to all unserved areas having a density of subscribers for  
3819 electric distribution service averaging at least two per mile on such  
3820 proposed new lines, in accordance with the provisions of this section.

3821 (b) The Public Utilities Regulatory Authority is directed, in  
3822 considering the rates of [electric or] electric distribution companies or  
3823 in the proceedings having to do with such rates, to consider the  
3824 expenses and revenues of each company as a whole, in arriving at a  
3825 fair return on the fair value of such properties. In prescribing a rate for  
3826 service on such new lines, the authority shall exercise its statutory  
3827 powers, except that the guarantee required shall not exceed thirteen  
3828 dollars and fifty cents per mile per month.

3829 (c) The Public Utilities Regulatory Authority is directed to advance  
3830 the objects of this section in every lawful manner.

3831 (d) Nothing in this section shall authorize the Public Utilities  
3832 Regulatory Authority to order and direct [electric or] electric  
3833 distribution companies to extend their lines in their chartered territory  
3834 over or under any body of water or elsewhere than along public  
3835 highways unless said authority, exercising its powers under section 16-  
3836 20, finds such extension to be economically justifiable.

3837 Sec. 100. Section 16-262c of the 2014 supplement to the general  
3838 statutes is repealed and the following is substituted in lieu thereof  
3839 (*Effective from passage*):

3840 (a) Notwithstanding any other provision of the general statutes no  
3841 [electric,] electric distribution, gas, telephone or water company, no

3842 electric supplier or certified telecommunications provider, and no  
3843 municipal utility furnishing electric, gas, telephone or water service  
3844 shall cause cessation of any such service by reason of delinquency in  
3845 payment for such service (1) on any Friday, Saturday, Sunday, legal  
3846 holiday or day before any legal holiday, provided such a company,  
3847 electric supplier, certified telecommunications provider or municipal  
3848 utility may cause cessation of such service to a nonresidential account  
3849 on a Friday which is not a legal holiday or the day before a legal  
3850 holiday when the business offices of the company, electric supplier,  
3851 certified telecommunications provider or municipal utility are open to  
3852 the public the succeeding Saturday, (2) at any time during which the  
3853 business offices of said company, electric supplier, certified  
3854 telecommunications provider or municipal utility are not open to the  
3855 public, or (3) within one hour before the closing of the business offices  
3856 of said company, electric supplier or municipal utility.

3857 (b) (1) From November first to May first, inclusive, no [electric or]  
3858 electric distribution company, as defined in section 16-1, as amended  
3859 by this act, no electric supplier and no municipal utility furnishing  
3860 electricity shall terminate, deny or refuse to reinstate residential  
3861 electric service in hardship cases where the customer lacks the  
3862 financial resources to pay his or her entire account. From November  
3863 first to May first, inclusive, no gas company and no municipal utility  
3864 furnishing gas shall terminate, deny or refuse to reinstate residential  
3865 gas service in hardship cases where the customer uses such gas for  
3866 heat and lacks the financial resources to pay his or her entire account,  
3867 except a gas company that, between May second and October thirty-  
3868 first, terminated gas service to a residential customer who uses gas for  
3869 heat and who, during the previous period of November first to May  
3870 first, had gas service maintained because of hardship status, may  
3871 refuse to reinstate the gas service from November first to May first,  
3872 inclusive, only if the customer has failed to pay, since the preceding  
3873 November first, the lesser of: (A) Twenty per cent of the outstanding  
3874 principal balance owed the gas company as of the date of termination,  
3875 (B) one hundred dollars, or (C) the minimum payments due under the



customer's amortization agreement. Notwithstanding any other provision of the general statutes to the contrary, no [electric,] electric distribution or gas company, no electric supplier and no municipal utility furnishing electricity or gas shall terminate, deny or refuse to reinstate residential electric or gas service where the customer lacks the financial resources to pay his or her entire account and for which customer or a member of the customer's household the termination, denial of or failure to reinstate such service would create a life-threatening situation. No [electric,] electric distribution or gas company, no electric supplier and no municipal utility furnishing electricity or gas shall terminate, deny or refuse to reinstate residential electric or gas service where the customer is a hardship case and lacks the financial resources to pay his or her entire account and a child not more than twenty-four months old resides in the customer's household and such child has been admitted to the hospital and received discharge papers on which the attending physician or an advanced practice registered nurse has indicated such service is a necessity for the health and well being of such child.

(2) During any period in which a residential customer is subject to termination, an [electric,] electric distribution or gas company, an electric supplier or a municipal utility furnishing electricity or gas shall provide such residential customer whose account is delinquent an opportunity to enter into a reasonable amortization agreement with such company, electric supplier or utility to pay such delinquent account and to avoid termination of service. Such amortization agreement shall allow such customer adequate opportunity to apply for and receive the benefits of any available energy assistance program. An amortization agreement shall be subject to amendment on customer request if there is a change in the customer's financial circumstances.

(3) As used in this section, (A) "household income" means the combined income over a twelve-month period of the customer and all adults, except children of the customer, who are and have been

3909 members of the household for six months or more, and (B) "hardship  
3910 case" includes, but is not limited to: (i) A customer receiving local, state  
3911 or federal public assistance; (ii) a customer whose sole source of  
3912 financial support is Social Security, Veterans' Administration or  
3913 unemployment compensation benefits; (iii) a customer who is head of  
3914 the household and is unemployed, and the household income is less  
3915 than three hundred per cent of the poverty level determined by the  
3916 federal government; (iv) a customer who is seriously ill or who has a  
3917 household member who is seriously ill; (v) a customer whose income  
3918 falls below one hundred twenty-five per cent of the poverty level  
3919 determined by the federal government; and (vi) a customer whose  
3920 circumstances threaten a deprivation of food and the necessities of life  
3921 for himself or dependent children if payment of a delinquent bill is  
3922 required.

3923 (4) In order for a residential customer of a gas or electric distribution  
3924 company using gas or electricity for heat to be eligible to have any  
3925 moneys due and owing deducted from the customer's delinquent  
3926 account pursuant to this subdivision, the company furnishing gas or  
3927 electricity shall require that the customer (A) apply and be eligible for  
3928 benefits available under the Connecticut energy assistance program or  
3929 state appropriated fuel assistance program; (B) authorize the company  
3930 to send a copy of the customer's monthly bill directly to any energy  
3931 assistance agency for payment; (C) enter into and comply with an  
3932 amortization agreement, which agreement is consistent with decisions  
3933 and policies of the Public Utilities Regulatory Authority. Such an  
3934 amortization agreement shall reduce a customer's payment by the  
3935 amount of the benefits reasonably anticipated from the Connecticut  
3936 energy assistance program, state appropriated fuel assistance program  
3937 or other energy assistance sources. Unless the customer requests  
3938 otherwise, the company shall budget a customer's payments over a  
3939 twelve-month period with an affordable increment to be applied to  
3940 any arrearage, provided such payment plan will not result in loss of  
3941 any energy assistance benefits to the customer. If a customer  
3942 authorizes the company to send a copy of his monthly bill directly to

any energy assistance agency for payment, the energy assistance agency shall make payments directly to the company. If, on April thirtieth, a customer has been in compliance with the requirements of subparagraphs (A) to (C), inclusive, of this subdivision, during the period starting on the preceding November first, or from such time as the customer's account becomes delinquent, the company shall deduct from such customer's delinquent account an additional amount equal to the amount of money paid by the customer between the preceding November first and April thirtieth and paid on behalf of the customer through the Connecticut energy assistance program and state appropriated fuel assistance program. Any customer in compliance with the requirements of subparagraphs (A) to (C), inclusive, of this subdivision, on April thirtieth who continues to comply with an amortization agreement through the succeeding October thirty-first, shall also have an amount equal to the amount paid pursuant to such agreement and any amount paid on behalf of such customer between May first and the succeeding October thirty-first deducted from the customer's delinquent account. In no event shall the deduction of any amounts pursuant to this subdivision result in a credit balance to the customer's account. No customer shall be denied the benefits of this subdivision due to an error by the company. The Public Utilities Regulatory Authority shall allow the amounts deducted from the customer's account pursuant to the implementation plan, described in subdivision (5) of this subsection, to be recovered by the company in its rates as an operating expense, pursuant to said implementation plan. If the customer fails to comply with the terms of the amortization agreement or any decision of the authority rendered in lieu of such agreement and the requirements of subparagraphs (A) to (C), inclusive, of this subdivision, the company may terminate service to the customer, pursuant to all applicable regulations, provided such termination shall not occur between November first and May first.

(5) Each gas and electric distribution company shall submit to the Public Utilities Regulatory Authority annually, on or before July first, an implementation plan which shall include information concerning

3977 amortization agreements, counseling, reinstatement of eligibility, rate  
3978 impacts and any other information deemed relevant by the authority.  
3979 The Public Utilities Regulatory Authority may, in consultation with the  
3980 Office of Policy and Management, approve or modify such plan within  
3981 ninety days of receipt of the plan. If the authority does not take any  
3982 action on such plan within ninety days of its receipt, the plan shall  
3983 automatically take effect at the end of the ninety-day period, provided  
3984 the authority may extend such period for an additional thirty days by  
3985 notifying the company before the end of the ninety-day period. Any  
3986 amount recovered by a company in its rates pursuant to this  
3987 subsection shall not include any amount approved by the Public  
3988 Utilities Regulatory Authority as an uncollectible expense. The  
3989 authority may deny all or part of the recovery required by this  
3990 subsection if it determines that the company seeking recovery has been  
3991 imprudent, inefficient or acting in violation of statutes or regulations  
3992 regarding amortization agreements.

3993 (6) On or after January 1, 1993, the Public Utilities Regulatory  
3994 Authority may require gas companies to expand the provisions of  
3995 subdivisions (4) and (5) of this subsection to all hardship customers.  
3996 Any such requirement shall not be effective until November 1, 1993.

3997 (7) (A) All [electric,] electric distribution and gas companies, electric  
3998 suppliers and municipal utilities furnishing electricity or gas shall  
3999 collaborate in developing, subject to approval by the Public Utilities  
4000 Regulatory Authority, standard provisions for the notice of  
4001 delinquency and impending termination under subsection (a) of  
4002 section 16-262d, as amended by this act. Each such company and  
4003 utility shall place on the front of such notice a provision that the  
4004 company, electric supplier or utility shall not effect termination of  
4005 service to a residential dwelling for nonpayment of disputed bills  
4006 during the pendency of any complaint. In addition, the notice shall  
4007 state that the customer must pay current and undisputed bill amounts  
4008 during the pendency of the complaint. (B) At the beginning of any  
4009 discussion with a customer concerning a reasonable amortization

4010 agreement, any such company or utility shall inform the customer (i)  
4011 of the availability of a process for resolving disputes over what  
4012 constitutes a reasonable amortization agreement, (ii) that the company,  
4013 electric supplier or utility will refer such a dispute to one of its review  
4014 officers as the first step in attempting to resolve the dispute, and (iii)  
4015 that the company, electric supplier or utility shall not effect  
4016 termination of service to a residential dwelling for nonpayment of a  
4017 delinquent account during the pendency of any complaint,  
4018 investigation, hearing or appeal initiated by the customer, unless the  
4019 customer fails to pay undisputed bills, or undisputed portions of bills,  
4020 for service received during such period. (C) Each such company,  
4021 electric supplier and utility shall inform and counsel all customers who  
4022 are hardship cases as to the availability of all public and private energy  
4023 conservation programs, including programs sponsored or subsidized  
4024 by such companies and utilities, eligibility criteria, where to apply, and  
4025 the circumstances under which such programs are available without  
4026 cost.

4027 (8) The Public Utilities Regulatory Authority shall adopt regulations  
4028 in accordance with chapter 54 to carry out the provisions of this  
4029 subsection. Such regulations shall include, but not be limited to,  
4030 criteria for determining hardship cases and for reasonable  
4031 amortization agreements, including appeal of such agreements, for  
4032 categories of customers. Such regulations may include the  
4033 establishment of a reasonable rate of interest which a company may  
4034 charge on the unpaid balance of a customer's delinquent bill and a  
4035 description of the relationship and responsibilities of electric suppliers  
4036 to customers.

4037 (c) Each [electric,] electric distribution and gas company, electric  
4038 supplier and municipal utility shall, not later than December first,  
4039 annually, submit a report to the authority and the General Assembly  
4040 indicating (1) the number of customers in each of the following  
4041 categories and the total delinquent balances for such customers as of  
4042 the preceding May first: (A) Customers who are hardship cases and (i)

4043 who made arrangements for reasonable amortization agreements, (ii)  
4044 who did not make such arrangements, and (B) customers who are  
4045 nonhardship cases and who made arrangements for reasonable  
4046 amortization, (2) (A) the number of heating customers receiving  
4047 energy assistance during the preceding heating season and the total  
4048 amount of such assistance, and (B) the total balance of the accounts of  
4049 such customers after all energy assistance is applied to the accounts,  
4050 (3) the number of hardship cases reinstated between November first of  
4051 the preceding year and May first of the same year, the number of  
4052 hardship cases terminated between May first of the same year and  
4053 November first and the number of hardship cases reinstated during  
4054 each month from May to November, inclusive, of the same year, (4) the  
4055 number of reasonable amortization agreements executed and the  
4056 number breached during the same year by (A) hardship cases, and (B)  
4057 nonhardship cases, and (5) the number of accounts of (A) hardship  
4058 cases, and (B) nonhardship cases for which part or all of the  
4059 outstanding balance is written off as uncollectible during the  
4060 preceding year and the total amount of such uncollectibles.

4061 (d) Nothing in this section shall (1) prohibit a public service  
4062 company, electric supplier or municipal utility from terminating  
4063 residential utility service upon request of the customer or in  
4064 accordance with section 16-262d, as amended by this act, upon default  
4065 by the customer on an amortization agreement or collecting delinquent  
4066 accounts through legal processes, including the processes authorized  
4067 by section 16-262f, as amended by this act, or (2) relieve such company,  
4068 electric supplier or municipal utility of its responsibilities set forth in  
4069 sections 16-262d, as amended by this act, and 16-262e, as amended by  
4070 this act, to occupants of residential dwellings or, with respect to a  
4071 public service company or electric supplier, the responsibilities set  
4072 forth in section 19a-109.

4073 (e) No provision of the Freedom of Information Act, as defined in  
4074 section 1-200, shall be construed to require or permit a municipal  
4075 utility furnishing electric, gas or water service, a municipality

4076 furnishing water or sewer service, a district established by special act  
4077 or pursuant to chapter 105 and furnishing water or sewer service or a  
4078 regional authority established by special act to furnish water or sewer  
4079 service to disclose records under the Freedom of Information Act, as  
4080 defined in section 1-200, which identify or could lead to identification  
4081 of the utility usage or billing information of individual customers, to  
4082 the extent such disclosure would constitute an invasion of privacy.  
4083 Nothing in this section prohibits the disclosure of delinquencies or  
4084 enforcement actions.

4085 (f) If an electric supplier suffers a loss of revenue by operation of  
4086 this section, the supplier may make a claim for such revenue to the  
4087 authority. The electric distribution company shall reimburse the  
4088 electric supplier for such losses found to be reasonable by the authority  
4089 at the lower of (1) the price of the contract between the supplier and  
4090 the customer, or (2) the electric distribution company's price to  
4091 customers for default service, as determined by the authority. The  
4092 electric distribution company may recover such reimbursement, along  
4093 with transaction costs, through the systems benefits charge.

4094 Sec. 101. Subsection (a) of section 16-262d of the general statutes is  
4095 repealed and the following is substituted in lieu thereof (*Effective from*  
4096 *passage*):

4097 (a) No [electric,] electric distribution, gas, telephone or water  
4098 company, no electric supplier and no municipal utility furnishing  
4099 electric, gas or water service may terminate such service to a  
4100 residential dwelling on account of nonpayment of a delinquent  
4101 account unless such company, electric supplier or municipal utility  
4102 first gives notice of such delinquency and impending termination by  
4103 first class mail addressed to the customer to which such service is  
4104 billed, at least thirteen calendar days prior to the proposed  
4105 termination, except that if an [electric,] electric distribution or gas  
4106 company, electric supplier or municipal utility furnishing electric or  
4107 gas service has issued a notice under this subsection but has not  
4108 terminated service prior to issuing a new bill to the customer, such

4109 company, electric supplier or municipal utility may terminate such  
4110 service only after mailing the customer an additional notice of the  
4111 impending termination, addressed to the customer to which such  
4112 service is billed either (1) by first class mail at least thirteen calendar  
4113 days prior to the proposed termination, or (2) by certified mail, at least  
4114 seven calendar days prior to the proposed termination. In the event  
4115 that multiple dates of proposed termination are provided to a  
4116 customer, no such company, electric supplier or municipal utility shall  
4117 terminate service prior to the latest of such dates. For purposes of this  
4118 subsection, the thirteen-day periods and seven-day period shall  
4119 commence on the date such notice is mailed. If such company, electric  
4120 supplier or municipal utility does not terminate service within one  
4121 hundred twenty days after mailing the initial notice of termination,  
4122 such company, electric supplier or municipal utility shall give the  
4123 customer a new notice at least thirteen days prior to termination. Every  
4124 termination notice issued by a public service company, electric  
4125 supplier or municipal utility shall contain or be accompanied by an  
4126 explanation of the rights of the customer provided in subsection (c) of  
4127 this section.

4128 Sec. 102. Subsection (a) of section 16-262e of the 2014 supplement to  
4129 the general statutes is repealed and the following is substituted in lieu  
4130 thereof (*Effective from passage*):

4131 (a) Notwithstanding the provisions of section 16-262d, as amended  
4132 by this act, wherever an owner, agent, lessor or manager of a  
4133 residential dwelling is billed directly by an [electric,] electric  
4134 distribution, gas, telephone or water company or by a municipal utility  
4135 for utility service furnished to such building not occupied exclusively  
4136 by such owner, agent, lessor, or manager, and such company or  
4137 municipal utility or the electric supplier providing electric generation  
4138 services has actual or constructive knowledge that the occupants of  
4139 such dwelling are not the individuals to whom the company or  
4140 municipal utility usually sends its bills, such company, electric  
4141 supplier or municipal utility shall not terminate such service for



4142 nonpayment of a delinquent account owed to such company, electric  
4143 supplier or municipal utility by such owner, agent, lessor or manager  
4144 unless: (1) Such company, electric supplier or municipal utility makes  
4145 a good faith effort to notify the occupants of such building of the  
4146 proposed termination by the means most practicable under the  
4147 circumstances and best designed to provide actual notice; and (2) such  
4148 company, electric supplier or municipal utility provides an  
4149 opportunity, where practicable, for such occupants to receive service in  
4150 their own names without any liability for the amount due while  
4151 service was billed directly to the lessor, owner, agent or manager and  
4152 without the necessity for a security deposit; provided, if it is not  
4153 practicable for such occupants to receive service in their own names,  
4154 the company, electric supplier or municipal utility shall not terminate  
4155 service to such residential dwelling but may pursue the remedy  
4156 provided in sections 16-262f, as amended by this act, and 16-262t.

4157 Sec. 103. Subsection (a) of section 16-262f of the 2014 supplement to  
4158 the general statutes is repealed and the following is substituted in lieu  
4159 thereof (*Effective from passage*):

4160 (a) (1) Upon default of the owner, agent, lessor or manager of a  
4161 residential dwelling who is billed directly by an [electric,] electric  
4162 distribution, gas or telephone company or by a municipal utility for  
4163 electric or gas utility service furnished to such building, such company  
4164 or municipal utility or electric supplier providing electric generation  
4165 services may petition the Superior Court or a judge thereof, for  
4166 appointment of a receiver of the rents or payments for use and  
4167 occupancy or common expenses, as defined in section 47-202, for any  
4168 dwelling for which the owner, agent, lessor or manager is in default.  
4169 The court or judge shall forthwith issue an order to show cause why a  
4170 receiver should not be appointed, which shall be served upon the  
4171 owner, agent, lessor or manager or his agent in a manner most  
4172 reasonably calculated to give notice to such owner, agent, lessor or  
4173 manager as determined by such court or judge, including, but not  
4174 limited to, a posting of such order on the premises in question.

4175 (2) A hearing shall be had on such order no later than seventy-two  
4176 hours after its issuance or the first court day thereafter. The sole  
4177 purpose of such a hearing shall be to determine whether there is an  
4178 amount due and owing between the owner, agent, lessor or manager  
4179 and the company, electric supplier or municipal utility. The court shall  
4180 make a determination of any amount due and owing and any amount  
4181 so determined shall constitute a lien upon the real property of such  
4182 owner. A certificate of such amount may be recorded in the land  
4183 records of the town in which such property is located describing the  
4184 amount of the lien and the name of the party in default. When the  
4185 amount due and owing has been paid the company, electric supplier  
4186 or municipality shall issue a certificate discharging the lien and shall  
4187 file the certificate in the land records of the town in which such lien  
4188 was recorded.

4189 (3) The receiver appointed by the court shall collect all rents or  
4190 payments for use and occupancy or common expenses forthcoming  
4191 from or paid on behalf of the occupants or residents of the building or  
4192 facility in question in place of the owner, agent, lessor, manager or  
4193 administrator. The receiver may also petition the court to obtain any  
4194 remedy available under chapter 906 against such owner, agent, lessor  
4195 or manager in order to recover amounts due as determined under  
4196 subdivision (2) of this subsection and continuing charges for such  
4197 utility service until all such charges and other costs have been paid.

4198 (4) The receiver shall pay the petitioner or other supplier, from such  
4199 rents or payments for use and occupancy or common expenses for  
4200 electric, gas, telephone, water or heating oil supplied on and after the  
4201 date of his appointment. The owner, agent, lessor or manager shall be  
4202 liable for such reasonable fees and costs determined by the court to be  
4203 due the receiver, which fees and costs may be recovered from the rents  
4204 or payments for use and occupancy under the control of the receiver,  
4205 provided no such fees or costs shall be recovered until after payment  
4206 for current electric, gas, telephone and water service and heating oil  
4207 deliveries has been made. The owner, agent, lessor or manager shall be

4208 liable to the petitioner for reasonable attorney's fees and costs incurred  
4209 by the petitioner, provided no such fees or costs shall be recovered  
4210 until after payment for current electric, gas, telephone and water  
4211 service and heating oil deliveries has been made and after payments of  
4212 reasonable fees and costs to the receiver. Any moneys from rental  
4213 payments or payments for use and occupancy or common expenses  
4214 remaining after payment for current electric, gas, telephone and water  
4215 service or heating oil deliveries, and after payment for reasonable costs  
4216 and fees to the receiver, and after payment to the petitioner for  
4217 reasonable attorney's fees and costs, shall be applied to any arrearage  
4218 found by the court to be due and owing the company, electric supplier  
4219 or municipal utility from the owner, agent, lessor or manager for  
4220 service provided such building. Any moneys remaining thereafter  
4221 shall be turned over to the owner, agent, lessor or manager. The court  
4222 may order an accounting to be made at such times as it determines to  
4223 be just, reasonable, and necessary.

4224 Sec. 104. Subsection (b) of section 16-262i of the general statutes is  
4225 repealed and the following is substituted in lieu thereof (*Effective from*  
4226 *passage*):

4227 (b) The authority may adopt regulations, in accordance with the  
4228 provisions of chapter 54, setting forth the terms and conditions under  
4229 which [electric,] electric distribution, gas, telephone and water  
4230 companies, electric suppliers, certified telecommunications providers  
4231 and municipal utilities furnishing electric, gas or water service may be  
4232 prohibited from terminating service to a residential dwelling on  
4233 account of nonpayment of a delinquent account in the name of the  
4234 former spouse or spouse of the individual who occupies the dwelling,  
4235 if the marriage of such individuals has been dissolved or annulled or  
4236 such individuals are legally separated or have an action for dissolution  
4237 or annulment of a marriage or for legal separation pending, pursuant  
4238 to chapter 815j.

4239 Sec. 105. Section 16a-37f of the general statutes is repealed and the  
4240 following is substituted in lieu thereof (*Effective from passage*):

4241 A budgeted agency, as defined in section 4-69, shall only purchase  
4242 replacement light bulbs which (1) are provided under an electric  
4243 distribution company's customer lighting efficiency program, (2) are  
4244 equivalent in energy efficiency to bulbs provided under such electric  
4245 distribution company lighting efficiency program, as determined by  
4246 the Commissioner of Energy and Environmental Protection, in  
4247 consultation with the Commissioner of Administrative Services, or (3)  
4248 meet such other life-cycle cost analysis standards as the Commissioner  
4249 of Energy and Environmental Protection, with the concurrence of the  
4250 Commissioner of Administrative Services, may designate.

4251 Sec. 106. Subsections (e) and (f) of section 16a-40b of the 2014  
4252 supplement to the general statutes are repealed and the following is  
4253 substituted in lieu thereof (*Effective from passage*):

4254 (e) The commissioner shall adopt regulations in accordance with  
4255 chapter 54, (1) concerning qualifications for such loans or deferred  
4256 loans, requirements and limitations as to adjustments of terms and  
4257 conditions of repayment and any additional requirements deemed  
4258 necessary to carry out the provisions of this section and to assure that  
4259 those tax-exempt bonds and notes used to fund such loans or deferred  
4260 loans qualify for exemption from federal income taxation, (2)  
4261 providing for the maximum feasible availability of such loans or  
4262 deferred loans for dwelling units owned or occupied by persons of low  
4263 and moderate income, (3) establishing procedures to inform such  
4264 persons of the availability of such loans or deferred loans and to  
4265 encourage and assist them to apply for such loans or deferred loans,  
4266 and (4) providing that (A) the interest payments received from the  
4267 recipients of loans or deferred loans made on and after July 1, 1982,  
4268 less the expenses incurred by the commissioner in the implementation  
4269 of the program of loans, deferred loans and loan guarantees under this  
4270 section, and (B) the payments received from electric distribution and  
4271 gas companies under subsection (f) of this section shall be applied to  
4272 reimburse the General Fund for interest on the outstanding bonds and  
4273 notes used to fund such loans or deferred loans made on or after July

4274 1, 1982.

4275 (f) Not later than August first, annually, the commissioner shall  
4276 calculate the difference between (1) the weighted average of the  
4277 percentage rates of interest payable on all subsidized loans made (A)  
4278 after July 1, 1982, from the Energy Conservation Loan Fund, and (B)  
4279 from the Housing Repayment and Revolving Loan Fund pursuant to  
4280 this section, and (2) the average of the percentage rates of interest on  
4281 any bonds and notes issued pursuant to section 3-20, which have been  
4282 dedicated to the energy conservation loan program and used to fund  
4283 such loans, and multiply such difference by the outstanding amount of  
4284 all such loans, or such lesser amount as may be required under Section  
4285 103(c) of the Internal Revenue Code of 1986, or any subsequent  
4286 corresponding internal revenue code of the United States, as from time  
4287 to time amended. The product of such difference and such applicable  
4288 amount shall not exceed six per cent of the sum of the outstanding  
4289 principal amount at the end of each fiscal year of all loans or deferred  
4290 loans made (A) on or after July 1, 1982, from the Energy Conservation  
4291 Loan Fund, and (B) from the Housing Repayment and Revolving Loan  
4292 Fund pursuant to this section, and the balance remaining in the Energy  
4293 Conservation Loan Fund and the balance of energy conservation loan  
4294 repayments in the Housing Repayment and Revolving Loan Fund. Not  
4295 later than September first, annually, the Public Utilities Regulatory  
4296 Authority shall allocate such product among each electric distribution  
4297 and gas company having at least seventy-five thousand customers, in  
4298 accordance with a formula taking into account, without limitation, the  
4299 average number of residential customers of each company. Not later  
4300 than October first, annually, each such company shall pay its assessed  
4301 amount to the commissioner. The commissioner shall pay to the State  
4302 Treasurer for deposit in the General Fund all such payments from  
4303 electric distribution and gas companies, and shall adopt procedures to  
4304 assure that such payments are not used for purposes other than those  
4305 specifically provided in this section. The authority shall include each  
4306 company's payment as an operating expense of the company for the  
4307 purposes of rate-making under section 16-19, as amended by this act.

4308 Sec. 107. Section 16a-41h of the general statutes is repealed and the  
4309 following is substituted in lieu thereof (*Effective from passage*):

4310 (a) (1) Each electric distribution company, gas company and  
4311 municipal utility furnishing electric or gas service, shall include in its  
4312 monthly bills a request to each customer to add a donation in an  
4313 amount designated by the customer to the bill payment. Such  
4314 company shall provide to all of its customers the opportunity to  
4315 donate one dollar, two dollars, three dollars or another amount on  
4316 each bill provided to a customer either through the mail or  
4317 electronically. Such designation shall be made available and included  
4318 where customers are either electronically billed or bill payment is  
4319 handled electronically. The opportunity to donate one dollar, two  
4320 dollars, three dollars or another amount shall be included on the bill in  
4321 such a way that facilitates such donations.

4322 (2) Operation Fuel, Incorporated, shall provide fundraising inserts  
4323 and remittance envelopes to retail dealers of fuel oil that volunteer to  
4324 include the inserts and envelopes in their customers' bills for one or  
4325 more billing cycles each year. Such retail dealers of fuel oil shall inform  
4326 Operation Fuel, Incorporated, as to the number of inserts and  
4327 envelopes needed to conduct such a mailing.

4328 (3) Each electric distribution, gas or fuel oil company shall transmit  
4329 all such donations received each month, as well as their own  
4330 contributions, if any, to Operation Fuel, Incorporated, a state-wide  
4331 nonprofit organization designed to respond to people within the state  
4332 who are in financial crisis and need emergency energy assistance.  
4333 Operation Fuel, Incorporated shall distribute donations to nonprofit  
4334 social services agencies and private fuel banks in accordance with  
4335 guidelines established by the board of directors of Operation Fuel,  
4336 Incorporated, provided such funds shall be distributed on a priority  
4337 basis to low-income elderly and working poor households that are not  
4338 eligible for public assistance or state-administered general assistance  
4339 but are faced with a financial crisis and are unable to make timely  
4340 payments on winter fuel, electricity or gas bills. Such companies shall

4341 coordinate their promotions of this program, holding promotions  
4342 during the same month and using similar formats.

4343 (b) If Operation Fuel, Inc. ceases to exist, such electric distribution  
4344 and gas companies shall jointly establish a nonprofit, tax-exempt  
4345 corporation for the purpose of holding in trust and distributing such  
4346 customer donations. The board of directors of such corporation shall  
4347 consist of eleven members appointed as follows: Four by the  
4348 companies, each of which shall appoint one member; one by the  
4349 president pro tempore of the Senate; one by the minority leader of the  
4350 Senate; one by the speaker of the House of Representatives; one by the  
4351 minority leader of the House of Representatives; and three by the  
4352 Governor. The board shall distribute such funds to nonprofit  
4353 organizations and social service agencies which provide emergency  
4354 energy or fuel assistance. The board shall target available funding on a  
4355 priority basis to low-income elderly and working poor households  
4356 which are not eligible for public assistance or state-administered  
4357 general assistance but are faced with a financial crisis and are unable to  
4358 make timely payments on winter fuel, electricity or gas bills.

4359 (c) Not later than the first of September annually, Operation Fuel,  
4360 Inc. shall submit to the General Assembly a report on the  
4361 implementation of this section. Such report shall include, (1) a  
4362 summary of the effectiveness of the program, (2) the total amount of  
4363 the donations received by electric distribution and gas companies and  
4364 transmitted to Operation Fuel, Inc. under subsection (b) of this section,  
4365 and (3) an accounting of the distribution of such funds by Operation  
4366 Fuel, Inc. indicating the organizations and agencies receiving funds,  
4367 the amounts received and distributed by each such organization and  
4368 agency and the number of households each assisted. On and after  
4369 October 1, 1996, the report shall be submitted to the joint standing  
4370 committee of the General Assembly having cognizance of matters  
4371 relating to energy and, upon request, to any member of the General  
4372 Assembly. A summary of the report shall be submitted to each  
4373 member of the General Assembly if the summary is two pages or less

4374 and a notification of the report shall be submitted to each member if  
4375 the summary is more than two pages. Submission shall be by mailing  
4376 the report, summary or notification to the legislative address of each  
4377 member of the committee or the General Assembly, as applicable.

4378 Sec. 108. Section 22a-66k of the general statutes is repealed and the  
4379 following is substituted in lieu thereof (*Effective from passage*):

4380 (a) Each electric distribution company, as defined in section 16-1, as  
4381 amended by this act, shall submit a utilities pesticide management  
4382 plan to the Commissioner of Energy and Environmental Protection for  
4383 approval with the concurrence of the Public Utilities Regulatory  
4384 Authority. A plan shall be revised at such time as the electric  
4385 distribution company filing the plan or the commissioner determines  
4386 provided such plan shall be revised not less than once every five years.

4387 (b) Any electric distribution company, as defined in section 16-1, as  
4388 amended by this act, telephone company, as defined in section 16-1, as  
4389 amended by this act, or telecommunications company, as defined in  
4390 section 16-1, as amended by this act, which provides for the  
4391 application of a pesticide within a right-of-way maintained by such  
4392 company shall ensure that owners, occupants or tenants of buildings  
4393 or dwellings that are located on property which abuts such right-of-  
4394 way, or property within which such right-of-way lies, are notified at  
4395 least forty-eight hours prior to the application. Notice may be made by  
4396 any method, including telephone, mail or personal notification. Any  
4397 such company which provides for the application of pesticides in  
4398 connection with removal of trees or brush from private property shall  
4399 obtain the consent of the owner, occupant or tenant of such property  
4400 prior to the application. Notwithstanding the provisions of section 23-  
4401 65, any such company which provides for the application of pesticides  
4402 to any utility pole, after it has been installed, for purposes of  
4403 maintaining, preserving or extending the useful life of the pole shall  
4404 post notice of such application on each such pole.

4405 (c) The commissioner shall adopt regulations in accordance with the



4406 provisions of chapter 54 setting forth the contents of a pesticide  
4407 management plan. Such regulations shall include provisions for the  
4408 on-site posting of a notice of a pesticide application. A notice required  
4409 by such regulations may be posted at the time of or after the  
4410 application, provided the time of such posting shall be sufficient to  
4411 protect persons engaged in a lawful public recreational use of any  
4412 unimproved real property in which such application is made.

4413 Sec. 109. Section 29-317 of the general statutes, as amended by  
4414 section 7 of public act 09-177, sections 1 and 6 of public act 10-54,  
4415 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is  
4416 repealed and the following is substituted in lieu thereof (*Effective*  
4417 *January 1, 2015*):

4418 (a) The Commissioner of Administrative Services shall adopt  
4419 regulations, in accordance with the provisions of chapter 54,  
4420 prescribing reasonable minimum requirements for the installation of  
4421 oil burners and equipment used in connection therewith, including  
4422 tanks, piping, pumps, control devices and accessories. Such  
4423 regulations shall be incorporated into the State Fire Prevention Code  
4424 and shall include provisions for the prevention of injury to life and  
4425 damage to property, and protection from hazards incident to the  
4426 installation and operation of such oil burners and equipment.

4427 (b) No regulation made in accordance with this section shall apply  
4428 to any [electric company,] gas company or electric distribution  
4429 company, as such terms are defined in section 16-1, as amended by this  
4430 act.

4431 Sec. 110. Section 29-320 of the general statutes is repealed and the  
4432 following is substituted in lieu thereof (*Effective from passage*):

4433 The Commissioner of Administrative Services shall make and  
4434 enforce, and may amend, reasonable regulations concerning the safe  
4435 storage, use, transportation by any mode and transmission by pipeline  
4436 of flammable or combustible liquids. In adopting such regulations,

4437 said commissioner may adopt by reference standards concerning  
4438 flammable or combustible liquids as set forth by the National Fire  
4439 Protection Association for the prevention of damage to property and  
4440 injury to life, and protection from hazards incident to the storage, use,  
4441 transportation by any mode and transmission by pipeline of such  
4442 liquids. Such regulations shall not apply to [electric,] electric  
4443 distribution and gas companies, as defined in section 16-1, as amended  
4444 by this act.

4445 Sec. 111. Section 29-230 of the general statutes, as amended by  
4446 section 8 of public act 09-177, sections 2 and 6 of public act 10-54,  
4447 section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, is  
4448 repealed and the following is substituted in lieu thereof (*Effective*  
4449 *January 1, 2015*):

4450 The Commissioner of Administrative Services shall adopt and may  
4451 amend, reasonable regulations in accordance with the provisions of  
4452 chapter 54, concerning the safe storage, use, transportation by any  
4453 mode and transmission by pipeline of flammable or combustible  
4454 liquids. Such regulations shall be incorporated into the State Fire  
4455 Prevention Code and shall include provisions for the prevention of  
4456 damage to property and injury to life, and protection from hazards  
4457 incident to the storage, use, transportation by any mode and  
4458 transmission by pipeline of such liquids. The commissioner shall  
4459 enforce such regulations. Such regulations shall not apply to any  
4460 [electric company,] electric distribution company or gas company, as  
4461 such terms are defined in section 16-1, as amended by this act.

4462 Sec. 112. Section 29-329 of the general statutes, as amended by  
4463 section 12 of public act 09-177, section 6 of public act 10-54 and sections  
4464 3 and 4 of public act 12-60, is repealed and the following is substituted  
4465 in lieu thereof (*Effective January 1, 2015*):

4466 (a) The State Fire Marshal shall adopt regulations, in accordance  
4467 with the provisions of chapter 54, prescribing reasonable minimum  
4468 requirements for the installation and operation of gas equipment and

4469 gas piping. Such regulations shall be incorporated into the State Fire  
4470 Prevention Code and shall include provisions for the prevention of  
4471 injury to life and damage to property and protection from hazards  
4472 incident to the installation and operation of such gas equipment and  
4473 piping.

4474 (b) No regulation adopted in accordance with this section shall  
4475 apply to any [electric company,] gas company or electric distribution  
4476 company, as such terms are defined in section 16-1, as amended by this  
4477 act.

4478 Sec. 113. Section 29-331 of the general statutes is repealed and the  
4479 following is substituted in lieu thereof (*Effective from passage*):

4480 The Commissioner of Administrative Services shall make  
4481 reasonable regulations concerning the safe storage, use, transportation  
4482 by any mode and transmission by pipeline of liquefied petroleum gas.  
4483 Regulations concerning safe storage shall specify standards to ensure  
4484 maximum security against unauthorized entry into storage areas  
4485 where liquefied petroleum gas or liquefied natural gas is stored. In  
4486 adopting such regulations, said commissioner may adopt by reference  
4487 standards concerning liquefied petroleum gas as set forth by the  
4488 National Fire Protection Association for the prevention of damage to  
4489 property and injury to life, and protection from hazards incident to the  
4490 storage, use, transportation by any mode and transmission by pipeline  
4491 of such gas, with particular reference to the design, construction,  
4492 location and operation of liquefied petroleum gas installations. Such  
4493 regulations shall not apply to [electric,] electric distribution and gas  
4494 companies, as defined in section 16-1, as amended by this act.

4495 Sec. 114. Section 29-331 of the general statutes, as amended by  
4496 section 14 of public act 09-177, section 6 of public act 10-54, section 90  
4497 of public act 11-51 and sections 3 and 4 of public act 12-60, is repealed  
4498 and the following is substituted in lieu thereof (*Effective January 1,*  
4499 *2015*):

4500 The Commissioner of Administrative Services shall adopt  
4501 reasonable regulations, in accordance with the provisions of chapter  
4502 54, concerning the safe storage, use, transportation by any mode and  
4503 transmission by pipeline of liquefied petroleum gas. Regulations  
4504 concerning safe storage shall specify standards to ensure maximum  
4505 security against unauthorized entry into storage areas where liquefied  
4506 petroleum gas or liquefied natural gas is stored. Such regulations shall  
4507 be incorporated into the State Fire Prevention Code and shall include  
4508 provisions for the prevention of damage to property and injury to life,  
4509 and protection from hazards incident to the storage, use,  
4510 transportation by any mode and transmission by pipeline of such gas,  
4511 with particular reference to the design, construction, location and  
4512 operation of liquefied petroleum gas installations. Such regulations  
4513 shall not apply to any [electric company,] electric distribution  
4514 company or gas company, as such terms are defined in section 16-1, as  
4515 amended by this act.

4516 Sec. 115. Section 33-221 of the general statutes is repealed and the  
4517 following is substituted in lieu thereof (*Effective from passage*):

4518 A cooperative shall have power, subject to the limitations of section  
4519 33-219: (a) To sue and be sued in its corporate name; (b) to have  
4520 perpetual existence; (c) to adopt a corporate seal and alter the same; (d)  
4521 to generate, manufacture, purchase, acquire, accumulate and transmit  
4522 electric energy, and to distribute, sell, supply and dispose of electric  
4523 energy to its members, and to other persons not in excess of ten per  
4524 cent of the number of its members pursuant to applicable federal law  
4525 and regulations adopted thereunder, provided the furnishing by a  
4526 cooperative of electric cold storage or processing plant service shall not  
4527 be deemed to be distributing, selling, supplying or disposing of electric  
4528 energy; (e) to assist persons to whom electric energy is or will be  
4529 supplied by the cooperative in wiring their premises and in acquiring  
4530 and installing electrical appliances, equipment, fixtures, apparatus and  
4531 energy conservation and renewable energy systems and equipment, by  
4532 the financing thereof or otherwise, and, in connection therewith, to

4533 wire, or cause to be wired, such premises and to purchase, acquire,  
4534 lease as lessor or lessee, sell, distribute, install and repair such electric  
4535 appliances, equipment, fixtures, apparatus and energy conservation  
4536 and renewable energy systems and equipment; (f) to assist persons to  
4537 whom electric energy is or will be supplied by the cooperative in  
4538 constructing, equipping, maintaining and operating electric cold  
4539 storage or processing plants, by the financing thereof or otherwise; (g)  
4540 to construct, purchase, lease as lessee, or otherwise acquire, and to  
4541 equip, maintain and operate, and to sell, assign, convey, lease as lessor,  
4542 mortgage, pledge or otherwise dispose of or encumber, electric  
4543 transmission and distribution lines or systems, electric generating  
4544 plants, electric cold storage or processing plants, lands, buildings,  
4545 structures, dams, plants and equipment, and any other real property or  
4546 tangible or intangible personal property which shall be deemed  
4547 necessary, convenient or appropriate to accomplish the purpose stated  
4548 in section 33-219; (h) to borrow money and otherwise contract  
4549 indebtedness, and to issue notes, bonds and other evidences of  
4550 indebtedness, and to secure the payment thereof by mortgage, pledge  
4551 or deed of trust of, or any other encumbrance upon, any or all of its  
4552 then owned or after-acquired real or personal property, assets,  
4553 franchises, revenues or income; (i) to construct, maintain and operate  
4554 electric transmission and distribution lines along, upon, under and  
4555 across publicly owned lands and public thoroughfares, including,  
4556 without limitation, all roads, highways, streets, alleys, bridges and  
4557 causeways, subject to the provisions of all laws regulating the use of  
4558 highways by electric distribution companies, provided no standards in  
4559 excess of standards provided in the National Electric Safety Code shall  
4560 be required; (j) to exercise the power of eminent domain in the manner  
4561 provided by the general statutes for the exercise of such power by  
4562 other corporations constructing or operating electric transmission and  
4563 distribution lines or systems; (k) to petition the Public Utilities  
4564 Regulatory Authority to issue an order under section 16-243c, as  
4565 amended by this act; (l) to conduct its business and exercise its powers  
4566 within or without this state; (m) to adopt, amend and repeal bylaws;  
4567 and (n) to do and perform any other acts and things, and to have and

4568 exercise any other powers, which may be necessary, convenient or  
4569 appropriate to accomplish the purpose for which the cooperative is  
4570 organized.

4571 Sec. 116. Subdivision (13) of subsection (a) of section 36a-250 of the  
4572 general statutes is repealed and the following is substituted in lieu  
4573 thereof (*Effective from passage*):

4574 (13) Act as agent (A) in the collection of taxes for any qualified  
4575 treasurer of any taxing district or qualified collector of taxes, or (B) for  
4576 any [electric,] electric distribution, gas, water or telephone company  
4577 operating within this state in receiving moneys due that company for  
4578 utility services furnished by it;

4579 Sec. 117. Subdivision (14) of subsection (a) of section 36a-455a of the  
4580 general statutes is repealed and the following is substituted in lieu  
4581 thereof (*Effective from passage*):

4582 (14) Act as agent (A) in the collection of taxes for any qualified  
4583 treasurer of any taxing district or qualified collector of taxes, or (B) for  
4584 any [electric,] electric distribution, gas, water or telephone company  
4585 operating within this state in receiving moneys due such company for  
4586 utility services furnished by it;

4587 Sec. 118. Section 49-4c of the general statutes is repealed and the  
4588 following is substituted in lieu thereof (*Effective from passage*):

4589 Any mortgage entered into subsequent to July 1, 1986, between a  
4590 private power producer, as defined in section 16-243b, or the owner or  
4591 operator of a qualifying facility, as defined in Part 292 of Title 18 of the  
4592 Code of Federal Regulations, or a guarantor of any of their respective  
4593 obligations, as mortgagor, and an electric distribution company, as  
4594 defined in section 16-1, as amended by this act, as mortgagee, shall be  
4595 valid to secure all obligations then existing or thereafter arising of the  
4596 mortgagor to the mortgagee under an electricity purchase agreement,  
4597 including, without limitation, recovery of amounts paid to the private  
4598 power producer or the owner or operator of a qualifying facility by the

4599 mortgagee in excess of the mortgagee's avoided costs as defined in  
4600 section 16-243a, as amended by this act, and all other damages for  
4601 failure to deliver electric energy or capacity or other breach of an  
4602 electricity purchase agreement, including, without limitation, the net  
4603 replacement cost of the capacity being secured by such mortgage,  
4604 together with accrued interest, if any, as computed in accordance with  
4605 the terms of the electricity purchase agreement or the mortgage, and  
4606 under a guarantee of such obligations or obligations created by the  
4607 mortgage, and shall have priority over the rights of others who shall  
4608 acquire any rights in the property covered by such mortgage  
4609 subsequent to the recording of the mortgage in the land records of the  
4610 town in which the mortgaged property is situated provided: (1) The  
4611 electricity purchase agreement is substantially in the form approved by  
4612 the Public Utilities Regulatory Authority pursuant to section 16-243a,  
4613 as amended by this act, and shall have been entered into by the  
4614 mortgagor and mortgagee prior to or simultaneously with or  
4615 subsequent to the execution and delivery of the mortgage, (2) the  
4616 caption to the mortgage shall contain the words "Open-End Mortgage"  
4617 and "Electricity Purchase Agreement", (3) the mortgage shall state that  
4618 it is entered into to secure the mortgagor's obligations to the mortgagee  
4619 under an electricity purchase agreement or under a guarantee of any  
4620 electricity purchase agreement obligations and shall recite either the  
4621 address of an office of the mortgagee or its assignee in the state at  
4622 which a copy of the electricity purchase agreement is on file and may  
4623 be inspected by the public during normal business hours or that the  
4624 electricity purchase agreement has been recorded, as an exhibit to the  
4625 mortgage or otherwise, on or before the date the mortgage is recorded,  
4626 in the land records of the town in which the mortgaged property is  
4627 situated, provided the electricity purchase agreement shall be so  
4628 recorded, (4) the amount of the obligation from time to time secured by  
4629 the mortgage may be determined or reasonably approximated on the  
4630 basis of records maintained by the mortgagee or its assignee in the  
4631 state, which records and an estimate of the amount claimed by the  
4632 mortgagee to be secured are made available to the public with  
4633 reasonable promptness upon written request, and (5) the mortgage

4634 states the maximum amount which it shall secure. Nothing in this  
4635 section shall invalidate any mortgage which would be valid without  
4636 this section. For purposes of this section, "electricity purchase  
4637 agreement" means a contract or agreement to purchase and sell electric  
4638 energy or capacity by and between a private power producer, as  
4639 defined in section 16-243b, or the owner or operator of a qualifying  
4640 facility, as defined in Part 292 of Title 18 of the Code of Federal  
4641 Regulations, and an electric distribution company, as defined in  
4642 section 16-1, as amended by this act.

4643 Sec. 119. Section 52-287 of the general statutes is repealed and the  
4644 following is substituted in lieu thereof (*Effective from passage*):

4645 The fixtures of every [telegraph,] telephone or electric [light or  
4646 power] distribution company, or association engaged in distributing  
4647 electricity by wires or similar conductors, including its wires, posts,  
4648 crossbars, lamps, switchboards, piers and abutments, may be attached  
4649 in the same manner and with the same legal effect as real estate in civil  
4650 actions, by the officer lodging in the office of the Secretary of the State  
4651 a certificate that he has made such attachment, which shall be  
4652 endorsed by said secretary with a note of the precise time of its  
4653 reception, and kept on file, open to public inspection, in said office.  
4654 Such attachment, if completed as hereinafter provided, shall be  
4655 considered as made when such certificate is so lodged. The certificate  
4656 shall be signed by such officer, shall describe the termini of the line or  
4657 lines and the location of the switchboards attached, with reasonable  
4658 certainty, and shall specify the parties to the suit, the court to which  
4659 the process is returnable and the amount of damages claimed; and  
4660 such officer shall, within four days thereafter, leave in the office of said  
4661 secretary a certified copy of the process under which the attachment  
4662 was made, with an endorsement of his doings thereon; and unless the  
4663 service is so completed, the property shall not be held against any  
4664 other creditor or bona fide purchaser.

4665 Sec. 120. Subsection (k) of section 16-243m of the 2014 supplement to  
4666 the general statutes is repealed and the following is substituted in lieu



4667     thereof (*Effective from passage*):

4668         (k) The authority may order an electric distribution company to  
4669     submit a proposal pursuant to the provisions of this section and may  
4670     approve such a proposal under this section. Nothing in sections 16-1,  
4671     as amended by this act, 16-32f, 16-50i, as amended by this act, 16-50k,  
4672     16-50x, 16-243i to 16-243q, inclusive, 16-244c, as amended by this act,  
4673     [16-244e,] 16-245d, 16-245m, as amended by this act, 16-245n, as  
4674     amended by this act, and 16-245z and section 21 of public act 05-1 of  
4675     the June special session shall limit the authority's ability to conduct  
4676     requests for proposals, in addition to that in subsection (c) of this  
4677     section, to reduce federally mandated congestion charges and to  
4678     approve such proposals or otherwise to meet its responsibility under  
4679     this title.

4680         Sec. 121. Subsection (a) of section 16-243p of the 2014 supplement to  
4681     the general statutes is repealed and the following is substituted in lieu  
4682     thereof (*Effective from passage*):

4683         (a) An electric distribution company may recover its costs and  
4684     investments that have been prudently incurred as well as its revenues  
4685     lost resulting from the provisions of sections 16-1, as amended by this  
4686     act, 16-19ff, as amended by this act, 16-50k, 16-50x, 16-243h to 16-243q,  
4687     inclusive, 16-244c, as amended by this act, [16-244e,] 16-244u, as  
4688     amended by this act, 16-245d, 16-245m, as amended by this act, 16-  
4689     245n, as amended by this act, 16-245z and 16-262i, as amended by this  
4690     act, and section 21 of public act 05-1 of the June special session. The  
4691     Public Utilities Regulatory Authority shall, after a hearing held  
4692     pursuant to the provisions of chapter 54, determine the appropriate  
4693     mechanism to obtain such recovery in a timely manner which  
4694     mechanism may be one or more of the following: (1) Approval of rates  
4695     as provided in sections 16-19, as amended by this act, and 16-19e, as  
4696     amended by this act; (2) the energy adjustment clause as provided in  
4697     section 16-19b, as amended by this act; or (3) the federally mandated  
4698     congestion charges, as defined in section 16-1, as amended by this act.

4699 Sec. 122. Section 16-243r of the 2014 supplement to the general  
4700 statutes is repealed and the following is substituted in lieu thereof  
4701 (*Effective from passage*):

4702 The provisions of sections 7-233y, 16-1, as amended by this act, 16-  
4703 32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-243q,  
4704 inclusive, 16-244c, as amended by this act, [16-244e,] 16-245d, 16-245m,  
4705 as amended by this act, 16-245n, as amended by this act, 16-245z and  
4706 16-262i, as amended by this act, and section 21 of public act 05-1 of the  
4707 June special session apply to new customer-side distributed resources  
4708 and grid-side distributed resources developed in this state that add  
4709 electric capacity on and after January 1, 2006, and shall also apply to  
4710 customer-side distributed resources and grid-side distributed  
4711 resources developed in this state before January 1, 2007, that (1) have  
4712 undergone upgrades that increase the resource's thermal efficiency  
4713 operating level by no fewer than ten percentage points or, for  
4714 resources that have a thermal efficiency level of at least seventy per  
4715 cent, have undergone upgrades that increase the resource's turbine  
4716 heat rate by no fewer than five percentage points and increase the  
4717 electrical output of the resource by no fewer than ten percentage  
4718 points, (2) operate at a thermal efficiency level of at least fifty per cent,  
4719 and (3) add electric capacity in this state on or after January 1, 2007,  
4720 provided such measure is in accordance with the provisions of said  
4721 sections 7-233y, 16-1, as amended by this act, 16-32f, 16-50i, as  
4722 amended by this act, 16-50k, 16-50x, 16-243i to 16-243q, inclusive, 16-  
4723 244c, as amended by this act, [16-244e,] 16-245d, 16-245m, as amended  
4724 by this act, 16-245n, as amended by this act, 16-245z and 16-262i, as  
4725 amended by this act, and section 21 of public act 05-1 of the June  
4726 special session. On or before January 1, 2009, the Public Utilities  
4727 Regulatory Authority, in consultation with the Office of Consumer  
4728 Counsel, shall report to the joint standing committee of the General  
4729 Assembly having cognizance of matters relating to energy regarding  
4730 the cost-effectiveness of programs pursuant to this section.

4731 Sec. 123. Subsection (a) of section 16-244v of the 2014 supplement to

4732 the general statutes is repealed and the following is substituted in lieu  
4733 thereof (*Effective from passage*):

4734 (a) [Notwithstanding subsection (a) of section 16-244e, an] An  
4735 electric distribution company, or owner or developer of generation  
4736 projects that emit no pollutants, may submit a proposal to the  
4737 Department of Energy and Environmental Protection to build, own or  
4738 operate one or more generation facilities up to an aggregate of thirty  
4739 megawatts using Class I renewable energy sources as defined in  
4740 section 16-1, as amended by this act, from July 1, 2011, to July 1, 2013.  
4741 Each facility shall be greater than one megawatt but not more than five  
4742 megawatts. Each electric distribution company may enter into joint  
4743 ownership agreements, partnerships or other agreements with private  
4744 developers to carry out the provisions of this section. The aggregate  
4745 ownership for an electric distribution company pursuant to this section  
4746 shall not exceed ten megawatts. The department shall evaluate such  
4747 proposals pursuant to sections 16-19, as amended by this act, and 16-  
4748 19e, as amended by this act, and may approve one or more of such  
4749 proposals if it finds that the proposal serves the long-term interest of  
4750 ratepayers. The department (1) shall not approve any proposal  
4751 supported in any form of cross subsidization by entities affiliated with  
4752 the electric distribution company, and (2) shall give preference to  
4753 proposals that make efficient use of existing sites and supply  
4754 infrastructure. No such company may, under any circumstances,  
4755 recover more than the full costs identified in a proposal, as approved  
4756 by the department. Nothing in this section shall preclude the resale or  
4757 other disposition of energy or associated renewable energy credits  
4758 purchased by the electric distribution company, provided the  
4759 distribution company shall net the cost of payments made to projects  
4760 under the long-term contracts against the proceeds of the sale of  
4761 energy or renewable energy credits and the difference shall be credited  
4762 or charged to distribution customers through a reconciling component  
4763 of electric rates as determined by the authority that is nonbypassable  
4764 when switching electric suppliers.

4765 Sec. 124. Section 16-43d of the general statutes is repealed and the  
4766 following is substituted in lieu thereof (*Effective from passage*):

4767 If any existing electric generation plant within the state is offered for  
4768 sale, the Public Utilities Regulatory Authority shall authorize the  
4769 electric distribution companies to purchase and operate such plants if  
4770 the authority, through a contested case proceeding, determines that  
4771 such purchase and operation is in the public interest, provided any  
4772 acquisition plan shall include provisions for payment of property taxes  
4773 on the value of the purchased plant and provisions for employee  
4774 protections. [consistent with subdivision (3) of subsection (b) of section  
4775 16-244f.] An electric distribution company purchasing such generation  
4776 plants shall be entitled to recover the costs of such purchase in an  
4777 annual retail generation rate contested case consistent with the  
4778 principles set forth in sections 16-19, 16-19b and 16-19e, as amended by  
4779 this act, provided the return on equity associated with such purchase  
4780 and operation shall be established in said contested case proceeding  
4781 and updated at least once every four years. The authority shall review  
4782 and approve the cost recovery provisions in the proceeding to  
4783 determine that such purchase and operation are in the public interest.

4784 Sec. 125. Section 25-157 of the general statutes is repealed and the  
4785 following is substituted in lieu thereof (*Effective from passage*):

4786 Notwithstanding any other provision of the general statutes, no  
4787 state agency, including, but not limited to, the Department of Energy  
4788 and Environmental Protection and the Connecticut Siting Council  
4789 within said department, shall consider or render a final decision for  
4790 any applications relating to electric power line crossings, gas pipeline  
4791 crossings or telecommunications crossings of Long Island Sound that  
4792 have required or will require a certificate issued pursuant to section  
4793 16-50k or approval by the Federal Energy Regulatory Commission  
4794 including, but not limited to, electrical power line, gas pipeline or  
4795 telecommunications applications that are pending or received after  
4796 June 3, 2002, for a period of three years after June 3, 2002. Such  
4797 moratorium shall not apply to applications relating solely to the

4798 maintenance, repair or replacement necessary for repair of electrical  
4799 power lines, gas pipelines or telecommunications facilities currently  
4800 used to provide service to customers located on islands or peninsulas  
4801 off the Connecticut coast or harbors, embayments, tidal rivers, streams  
4802 or creeks. An applicant may seek a waiver of such moratorium by  
4803 submitting a petition to the following: The chairpersons and ranking  
4804 members of the joint standing committees of the General Assembly  
4805 having cognizance of matters relating to energy and the environment,  
4806 the chairman of the Connecticut Siting Council, the Commissioner of  
4807 Energy and Environmental Protection, and any other state agency  
4808 head with jurisdiction over the subject of the petition. Such persons  
4809 may grant a petition for a waiver by unanimous consent. Nothing in  
4810 [section 16-244j,] this section or sections 25-157a to 25-157c, inclusive,  
4811 as amended by this act, shall be construed to affect the project in the  
4812 corridor across Long Island Sound, from Norwalk to Northport, New  
4813 York, to replace the existing electric cables that cross the sound.

4814 Sec. 126. Section 25-157c of the general statutes is repealed and the  
4815 following is substituted in lieu thereof (*Effective from passage*):

4816 Notwithstanding any provision of the general statutes, the  
4817 Connecticut Siting Council, within fifteen days of June 3, 2002, shall  
4818 submit the state's advisory opinion to the Federal Energy Regulatory  
4819 Commission requesting that, on behalf of the state, the Federal Energy  
4820 Regulatory Commission not approve any new individual electric  
4821 power line crossing, gas pipeline crossing or telecommunications  
4822 crossing until the comprehensive environmental assessment and plan  
4823 described in section 25-157a is completed and that the Federal Energy  
4824 Regulatory Commission avoid environmental damage to Long Island  
4825 Sound to the greatest extent possible when licensing any future project  
4826 by considering the recommendations contained in the comprehensive  
4827 environmental assessment and plan described in section 25-157a.  
4828 Notwithstanding the provisions of sections [16-244j and] 25-157 to 25-  
4829 157b, inclusive, as amended by this act, and this section, if the Federal  
4830 Energy Regulatory Commission proceeds with consideration of any

4831 such project, regardless of the Siting Council's request, the Connecticut  
4832 Siting Council and any other state agency with jurisdiction over such  
4833 project shall review such proposed project and recommend siting,  
4834 construction procedures and environmental mitigation measures to the  
4835 Federal Energy Regulatory Commission for such project that conform  
4836 with the comprehensive environmental assessment and plan described  
4837 in section 25-157a, to the degree such assessment and plan information  
4838 is available.

4839 Sec. 127. Section 16-228 of the 2014 supplement to the general  
4840 statutes is repealed and the following is substituted in lieu thereof  
4841 (*Effective from passage*):

4842 Subject to the restrictions of sections 16-18 [,] and 16-248, [16-249  
4843 and 16-250,] each telephone company may construct and maintain  
4844 telephone lines, upon any highway or across any waters in this state,  
4845 by the erection and maintenance of the necessary fixtures, including  
4846 posts, piers or abutments, for sustaining wires; but the same shall not  
4847 be so constructed as to incommode public travel or navigation or  
4848 injure any tree without the consent of the owner, nor shall such  
4849 company construct any bridge across any waters. Such lines shall be  
4850 personal property.

4851 Sec. 128. Subsection (a) of section 16-247c of the general statutes is  
4852 repealed and the following is substituted in lieu thereof (*Effective from*  
4853 *passage*):

4854 (a) No person shall provide intrastate telecommunications services,  
4855 except for private telecommunications service, commercial mobile  
4856 telecommunications service to the extent regulated by the federal  
4857 government and any service authorized under [section 16-250a or] a  
4858 joint or shared user tariff approved by the Public Utilities Regulatory  
4859 Authority, unless the person (1) offered, promoted and provided  
4860 intrastate telecommunications services on or before January 1, 1984,  
4861 pursuant to a special charter or certificate of public convenience and  
4862 necessity, or (2) is certified to provide intrastate telecommunications

4863 services by the Public Utilities Regulatory Authority pursuant to  
4864 sections 16-247f to 16-247h, inclusive.

4865 Sec. 129. Subsection (b) of section 4a-1a of the 2014 supplement to  
4866 the general statutes is repealed and the following is substituted in lieu  
4867 thereof (*Effective from passage*):

4868 (b) (1) Wherever the term "Commissioner of Construction Services"  
4869 is used in the following sections of the general statutes, the term  
4870 "Commissioner of Administrative Services" shall be substituted in lieu  
4871 thereof; and (2) wherever the term "Department of Construction  
4872 Services" is used in the following sections of the general statutes, the  
4873 term "Department of Administrative Services" shall be substituted in  
4874 lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1, 4b-1a, 4b-16, 4b-22a, 4b-24b,  
4875 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-63, 4b-70, 4b-  
4876 91, 4b-100, 4b-100a, 4b-102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-  
4877 220, 10-282, 10-283, 10-283b, 10-284, 10-285d, 10-285e, 10-285g, 10-286,  
4878 10-286d, 10-286e, 10-286g, 10-286h, 10-287, 10-287c, 10-287d, 10-287i,  
4879 10-289h, 10-290a, 10-290b, 10-290e, 10-290f, 10-291, 10-291a, 10-292q,  
4880 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-109ff, 13b-20n, 15-120qq, [16a-  
4881 37v,] 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-  
4882 38l, 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f,  
4883 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-  
4884 117, 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-222, 29-  
4885 224b, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-  
4886 250, 29-251, 29-251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256,  
4887 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-  
4888 291, 29-298a, 29-313, 29-315, 29-315c, 29-317, as amended by this act,  
4889 29-319, 29-320, as amended by this act, 29-321, 29-325, 29-331, as  
4890 amended by this act, 29-333, 29-337, 29-338, 29-344, 29-345, 29-346, 29-  
4891 349, 29-355, 29-359, 29-367, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613,  
4892 32-655a, 32-656 and 49-41b.

4893 Sec. 130. Subdivision (2) of subsection (a) of section 16-245m and  
4894 sections 16-243s, 16-244f, 16-244j, 16-245v, 16-246a, 16-247o, 16-249 to  
4895 16-250a, inclusive, 16-258c and 16-281a of the general statutes are

4896 repealed. (*Effective from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-1(a)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	16-10a(a)
Sec. 4	<i>from passage</i>	16-252
Sec. 5	<i>from passage</i>	16-265
Sec. 6	<i>from passage</i>	52-557o
Sec. 7	<i>from passage</i>	16-19dd
Sec. 8	<i>from passage</i>	16-50j(h)
Sec. 9	<i>from passage</i>	16-243n
Sec. 10	<i>from passage</i>	16-244b
Sec. 11	<i>from passage</i>	16-244c(e)
Sec. 12	<i>from passage</i>	16-244u(e)
Sec. 13	<i>from passage</i>	16-245a(g)
Sec. 14	<i>from passage</i>	16-245m(a)(1)
Sec. 15	<i>from passage</i>	16-245n(b)
Sec. 16	<i>from passage</i>	16-245ff(b)
Sec. 17	<i>from passage</i>	16-262y(c)
Sec. 18	<i>from passage</i>	16a-3(a)
Sec. 19	<i>from passage</i>	16a-3e
Sec. 20	<i>from passage</i>	16a-40m(c)
Sec. 21	<i>from passage</i>	12-81(57)
Sec. 22	<i>from passage</i>	12-268s(e)
Sec. 23	<i>from passage</i>	13a-126c
Sec. 24	<i>from passage</i>	16a-51(a)
Sec. 25	<i>from passage</i>	8-133a
Sec. 26	<i>from passage</i>	8-194
Sec. 27	<i>from passage</i>	8-395(a)
Sec. 28	<i>from passage</i>	12-80
Sec. 29	<i>from passage</i>	13a-127
Sec. 30	<i>from passage</i>	16-32
Sec. 31	<i>from passage</i>	16-237
Sec. 32	<i>from passage</i>	16-238
Sec. 33	<i>from passage</i>	16-345(c)
Sec. 34	<i>from passage</i>	22a-470
Sec. 35	<i>from passage</i>	29-19(a)



Sec. 36	<i>from passage</i>	31-16
Sec. 37	<i>from passage</i>	32-224(g)
Sec. 38	<i>from passage</i>	33-645(b)
Sec. 39	<i>from passage</i>	33-920(a)
Sec. 40	<i>from passage</i>	33-1035(b)
Sec. 41	<i>from passage</i>	33-1210(a)
Sec. 42	<i>from passage</i>	34-119(d)
Sec. 43	<i>from passage</i>	52-380b
Sec. 44	<i>from passage</i>	8-37jj(b)
Sec. 45	<i>from passage</i>	9-601a(b)(13)
Sec. 46	<i>from passage</i>	12-213(a)(20)(A)
Sec. 47	<i>from passage</i>	12-265(b)
Sec. 48	<i>from passage</i>	16-8(b)(4)
Sec. 49	<i>from passage</i>	16-11a(a)
Sec. 50	<i>from passage</i>	16-19(a)
Sec. 51	<i>from passage</i>	16-19a
Sec. 52	<i>from passage</i>	16-19b(c)
Sec. 53	<i>from passage</i>	16-19b(e)
Sec. 54	<i>from passage</i>	16-19b(j) to (l)
Sec. 55	<i>from passage</i>	16-19d(b)
Sec. 56	<i>from passage</i>	16-19d(f)
Sec. 57	<i>from passage</i>	16-19e(b) to (d)
Sec. 58	<i>from passage</i>	16-19bb
Sec. 59	<i>from passage</i>	16-19ee
Sec. 60	<i>from passage</i>	16-19ff(a)
Sec. 61	<i>from passage</i>	16-19hh(b)
Sec. 62	<i>from passage</i>	16-19kk(a) and (b)
Sec. 63	<i>from passage</i>	16-19oo
Sec. 64	<i>from passage</i>	16-19rr
Sec. 65	<i>from passage</i>	16-19uu
Sec. 66	<i>from passage</i>	16-32c(a)
Sec. 67	<i>from passage</i>	16-32g
Sec. 68	<i>from passage</i>	16-32h(d)(7)
Sec. 69	<i>from passage</i>	16-47
Sec. 70	<i>from passage</i>	16-50i(f)
Sec. 71	<i>from passage</i>	16-50l(b)
Sec. 72	<i>from passage</i>	16-232
Sec. 73	<i>from passage</i>	16-234(a)
Sec. 74	<i>from passage</i>	16-243a(f)
Sec. 75	<i>from passage</i>	16-243c

Sec. 76	<i>from passage</i>	16-243e
Sec. 77	<i>from passage</i>	16-243g
Sec. 78	<i>from passage</i>	16-243z
Sec. 79	<i>January 1, 2015</i>	16-243z
Sec. 80	<i>from passage</i>	16-243aa
Sec. 81	<i>from passage</i>	16-244e
Sec. 82	<i>from passage</i>	16-244g(a)
Sec. 83	<i>from passage</i>	16-244h(b)
Sec. 84	<i>from passage</i>	16-245e
Sec. 85	<i>from passage</i>	16-245f(a)
Sec. 86	<i>from passage</i>	16-245g
Sec. 87	<i>from passage</i>	16-245h
Sec. 88	<i>from passage</i>	16-245i(a) and (b)
Sec. 89	<i>from passage</i>	16-245j(a) to (c)
Sec. 90	<i>from passage</i>	16-245k
Sec. 91	<i>from passage</i>	16-245o(a) to (d)
Sec. 92	<i>from passage</i>	16-245p(a)
Sec. 93	<i>from passage</i>	16-245y(a)
Sec. 94	<i>from passage</i>	16-245ii
Sec. 95	<i>from passage</i>	16-245jj
Sec. 96	<i>from passage</i>	16-246e(a)
Sec. 97	<i>from passage</i>	16-246f
Sec. 98	<i>from passage</i>	16-259a(a) to (c)
Sec. 99	<i>from passage</i>	16-261
Sec. 100	<i>from passage</i>	16-262c
Sec. 101	<i>from passage</i>	16-262d(a)
Sec. 102	<i>from passage</i>	16-262e(a)
Sec. 103	<i>from passage</i>	16-262f(a)
Sec. 104	<i>from passage</i>	16-262i(b)
Sec. 105	<i>from passage</i>	16a-37f
Sec. 106	<i>from passage</i>	16a-40b(e) and (f)
Sec. 107	<i>from passage</i>	16a-41h
Sec. 108	<i>from passage</i>	22a-66k
Sec. 109	<i>January 1, 2015</i>	29-317
Sec. 110	<i>from passage</i>	29-320
Sec. 111	<i>January 1, 2015</i>	29-230
Sec. 112	<i>January 1, 2015</i>	29-329
Sec. 113	<i>from passage</i>	29-331
Sec. 114	<i>January 1, 2015</i>	29-331
Sec. 115	<i>from passage</i>	33-221

Sec. 116	<i>from passage</i>	36a-250(a)(13)
Sec. 117	<i>from passage</i>	36a-455a(a)(14)
Sec. 118	<i>from passage</i>	49-4c
Sec. 119	<i>from passage</i>	52-287
Sec. 120	<i>from passage</i>	16-243m(k)
Sec. 121	<i>from passage</i>	16-243p(a)
Sec. 122	<i>from passage</i>	16-243r
Sec. 123	<i>from passage</i>	16-244v(a)
Sec. 124	<i>from passage</i>	16-43d
Sec. 125	<i>from passage</i>	25-157
Sec. 126	<i>from passage</i>	25-157c
Sec. 127	<i>from passage</i>	16-228
Sec. 128	<i>from passage</i>	16-247c(a)
Sec. 129	<i>from passage</i>	4a-1a(b)
Sec. 130	<i>from passage</i>	Repealer section